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JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE

HERBERT B. ADAMS, Editor

History is past Politics and Politics present History — *Freeman*

1601

VOLUME VIII

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I-II

THE BEGINNINGS

OF

AMERICAN NATIONALITY

JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE

HERBERT B. ADAMS, Editor.

History is past Politics and Politics present History — *Freeman.*

EIGHTH SERIES

I-II

THE BEGINNINGS
OF
AMERICAN NATIONALITY

The Constitutional Relations Between the Continental Congress and the Colonies and States from 1774 to 1789

BY ALBION W. SMALL, PH. D.
President of Colby University

BALTIMORE
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January and February, 1890

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The present number concludes with the introduction to Section VI. The next instalment of the work will continue the discussion through Chapters III and IV, or to the Declaration of Independence.

THE BEGINNINGS OF AMERICAN NATIONALITY.

CHAPTER I.

Introduction.

The facts of American history were very early confounded with the definitions and doctrines of a dogmatic political philosophy. Before our Constitution was three score years old, it had been associated with a mass of theoretical and fanciful folk lore, whose authenticity was more vehemently asserted than were the facts themselves. A body of tradition grew up about the origins of our nationality, and it became the mould in which all conclusions from documentary sources must be cast. This apocryphal element obscured the genuine portions of our history, and became the criterion by which events were judged, instead of remaining an hypothesis which the examination of evidence should justify or destroy.

The general view of our national development which found its ablest political champion in Daniel Webster, discovered in the history of the United States an experience absolutely unprecedented. It saw a nation "born in a day." It saw, nevertheless, the anomalous spectacle of repeatedly threatened and finally attempted self-destruction, in the body thus spontaneously generated. Persons who have approached the study

since the interpretation of our Constitution ceased to be a subject for angry dispute, are to be pardoned if they suspect that the point of observation from which our history presents such a phenomenal aspect was not fortunately chosen. It is not surprising that men who have been taught to trace between all historical causes and effects the slow procession of gradual advance, are suspicious of the alleged singular exception. They cannot silence the supposition that there must have been process and plan, not merely catastrophe, at the foundation of our nationality. They see no reason why, from material so abundant, compared with that by means of which so many remote periods have been revived, it should not be possible to reconstruct the plan of our national formation.

The men upon whom we have hitherto depended for a knowledge of our early constitutional history have embarrassed us with the abundance of their learning. Most conspicuously is this true of Mr. Bancroft. To depreciate his work would be no less uncritical than impertinent. Failure to regard him with grateful admiration would forcibly argue unfitness to be an apprentice where he is a master. Yet it may, without disrespect, be observed, that he has credited his readers with powers of discrimination which few possess. As a consequence, while performing a service beyond praise, he has imposed upon students a task which the majority will scarcely prove competent to perform.

It would be a labor of no mean merit to reorganize the material in Mr. Bancroft's last volumes, and arrange it in three groups, each exhibiting a distinct process of evolution. There is, in the first place, material in the volumes for a book on the development of individual opinion in America, upon political philosophy in general, and its particular application to the problems involved in the controversy with Great Britain. There is, in the second place, material for the history of that organization of political forces which was at length defined in the written Constitution of 1789. There is, finally,

material for an account of that necessary assimilation of thought and feeling, without which written constitutions are simply words, a process which began with extreme provincialism, and which was going forward, not completed, in the adoption of the work of the Federal Convention. So long as these distinct lines of development are practically identified by students, so long will each and all of them be misunderstood. It is inevitable that the opinions of Washington and Jefferson and Hamilton upon public policy will seem to be indexes of general sentiment, and that they will color our interpretation of acts and enactments if all are presented together. If the significance of individual opinions is to be apprehended, the personal equation must be computed in every instance. This line of investigation can therefore be properly followed only by itself. If the political condition and development of the *masses* is to be exhibited, testimony of an entirely different sort must be adduced. Hence this must be a separate sphere of research and conclusion. If, finally, institutions are to be described, their action, not their definition, must be observed.

Failure to recognize these fundamental requirements is accountable for much that is misleading in attempts to expound our national experience.

It seems necessary, therefore, to draw, in the first place, very sharp lines between these different areas of investigation. This study is concerned, then, not with the growth of individual opinion, but with the growth of institutions. It is an effort to select a more natural vanishing point for the perspective of our national history.

The question proposed at the outset is:—*What was the exact relation of the Continental Congresses to the colonies and states.* Nearly all the fallacies in the literature of our constitutional history may be traced, wholly or in part, to *assumptions* in answer to this question. Our constitutional history cannot be written with authority until the question of fact

here raised is settled by appeal to the detailed evidence on record.[1]

The most natural method of exhibiting the relations between Congress and Colonies would seem to be, then, to place them before the reader in exactly the relations in which they appear in the public records. That method has been adopted in the following pages. After a brief account of the legal character of the communities with which the history deals, extracts from the records are arranged to show: *First*, the character of the bodies that assumed to act for the colonies; *second*, the powers which these colonial bodies gave to representatives in the continental body; *third*, the character of the continental body so composed; *fourth*, the acts of the continental body; *fifth*, the corresponding acts of the colonial bodies.

This method of exposition is applied *first*, to the period of the Congress of 1774; *second*, to that of the first session of the Congress of 1775; *third*, to that of the session September, 1775 to July, 1776; *fourth*, to the pre-confederation period, July, 1776 to March, 1781; *fifth*, to the period of the Confederation.

As hinted above, this study has proceeded upon the principle that in the nature of the case there is and can be but one text-book of our constitutional history. That book is in many parts, but it is composed solely of the authentic records of public acts, with occasionally admissible marginal notes drawn from more private sources. In collecting and arranging data for generalization from the public records, the exposition has gone forward as though these authorities had, up to

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[1] It is astonishing that, after a space of thirty years for reflection, Mr. George Ticknor Curtis now reprints his history of the Constitution without revision of the assertions which beg this fundamental question. In the second chapter he repeats the dogma that the Congress of 1775 was a "*national government.*" Until more exact analysis is applied, our early history must remain mythical.

the present, been unknown,[1] and as though no attempts had ever been made to describe our national development.

The second part will deal *first*, with the diplomacy of the Association and of the Confederation, as affecting nationality. No attempt to enter upon an exhaustive investigation of our diplomatic history is contemplated for the purposes of this inquiry, but an answer will be sought to the questions: What influence upon national formation was exerted by the fact that the associated and afterwards the confederated states acted practically as one nation in negotiating with foreign powers, in borrowing money, in sending and receiving ambassadors, and in concluding treaties? What effect of these proceedings can be traced in the development of a national consciousness and in the adoption of a national organization? Were the states in any way committed to nationality, as contrasted with alliance, by these foreign relations? It will be shown that while these relations logically *implied* nationality, the force of the logic was not admitted and enacted.

The second part will then discuss the relations between state and state within the Confederation. This is a necessary element in the view. The perspective could not have been so distorted if the details to be considered in this connection had not been unnoticed or unknown.[2]

The outcome of the study, up to 1789, is the demonstration that from this date two distinct questions were to be decided: 1. *What is the necessary legal interpretation of the Constitution on the subject of inter-state relations?* 2. Much more fundamental, but its importance was inadequately understood until

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[1] As indeed to all intents and purposes they seem to have been to pretentious commentators upon our history, who might be named. Scores of faint and blurred composite photographs of many distant views are in circulation, purporting to be accurate representations of our institutions. The false impressions which these have created can only be effaced by studious attention to the clear and precise delineation of the records themselves.

[2] Portions of the evidence to be presented have been used in a popular way by Mr. John Fiske, in his *Critical Period of American History.*

it had passed into history—*What is the actual will of the people on the subject of inter-state relations?* The historian of the present generation, who studies the records independently, cannot fail to discover that while the logic of the Constitution answered the first question in one way, all the significant public acts of the period answered the second question in a contradictory way. The people of the United States simply dodged the responsibility of formulating their will upon the distinct subject of national sovereignty until the legislation of the sword began in 1861. The justification of the success of northern arms was not in its vindication of assertions about the meaning of events in 1775–89. It was in its proclamation of the completion of an historical process begun in 1775–89. This conclusion, which the documentary evidence irresistibly enforces, must determine the method of treating our history under the Constitution.[1]

To provide against rejection without a hearing, analysis of the facts thus to be reviewed, and criticism of the traditions and conventionalities founded upon them, must protest itself more patriotic than the inexact and illogical dogmatism which has claimed for these events a meaning that fastens an artificial construction upon our whole subsequent history. A precise estimate of the importance of these acts, as steps leading to governmental organization, does not diminish, but rather enhances, the value of each force and factor that contributed to the great completion. The exegesis which finds the transition from atomic colonial independence to organic nationality so easy that it is accomplished by a few resolutions, unwit-

[1] I plead guilty of the large ambition to follow out this method and rescue our constitutional history from the misinterpretations of Von Holst. The struggle of state sovereignty, in this country, for its right of primogeniture, and the gradual obliteration of that right through the development of new economic, social, and moral conditions, which at last violently prevailed, is a subject still obscure enough, but surely instructive enough to reward the labor of him who shall win recognition as its truthful historian.

tingly denies to the artificers of our Union the glory of great achievement. Confusion of distinctions whose discrimination measures and illustrates the length and difficulty of the progress from localism to nationality, instead of assuring to the men of the Revolution the fame they deserve, tends rather to the conclusion that obstacles so quickly overcome, and changes so spontaneously effected, were but factitious and trivial after all, and that consequently the evolution of nationality did not cost steadfastness and sacrifice and devotion especially memorable. If, on the other hand, nothing be interpreted into these acts which they did not literally contain; if steps be not magnified into strides, and strides into leaps; if foreshadowings be not confounded with actualities, and prophesies with fulfilments, the tremendous force of local inertia, resisting unification, can first be recognized and approximately estimated, and the splendid merit of converting a portion of this energy into national loyalty will then appear to belong not to a few, but to a succession of illustrious men, whose labors were crowned in the maturity of our nation, after a century of growth.

CHAPTER II.

The Congress of 1774.

Section I. The Parties Represented.

Thirteen corporations created by the laws of Great Britain, but located on American soil, had, for years, impatiently endured violations of their charters by English rulers. The members of these corporations were British subjects, governed by laws made or sanctioned in England, and claiming the rights of British citizens. Clauses similar to the following occur in the charters of these corporations.

"All and every of the persons being our subjects, which shall dwell and inhabit within every or any of the said colonies . . . shall have and enjoy all liberties and franchises and immunities within any of our other dominions to all intents and purposes as if they had been abiding and born within this our realm of England."[1]

On the other hand, these corporations were as distinct and individual as are different railroad companies which have severally obtained charters and grants of land from the present government of the United States. The patent to Lord Baltimore, conferring upon him the territory of Maryland (1632), contains these significant words:

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[1] Va. Charter of 1606. *Cf.* Dec. of Rights by Congress of 1774. Journals of Cong., I, 29.

"And further, our pleasure is . . . that the said province, tenants and inhabitants of the said colony or country shall not from henceforth be held or reputed as a member, or as part of the land of Virginia, or of any other colony whatsoever, now transported, or to be hereafter transported; nor shall be depending on or subject to their government in anything, from whom we do separate that and them. And our pleasure is, that they be separated, and that they be subject immediately to our crown of England as depending thereof forever."

As indicated by the provisions of which this paragraph is an example, the one relation common to all the colonies and colonists, was that of dependence upon the English crown and amenability to British law. The colony of Massachusetts Bay was as distinct from the colony of Pennsylvania as it was from the colony of Jamaica or the kingdom of Ireland. Had Virginia owed her allegiance to the crown of France, and Maryland her allegiance to the crown of Spain, they could not have been more mutually exclusive corporations, in all that pertained to regulation of their respective affairs. A British subject indeed, residing in one of these colonies, had the common law rights within the territory of the others. He had these rights, however, not as a member of another colonial corporation, but as a British citizen. He could exercise the right in the Bermudas or Barbadoes or Bengal as freely as in New Hampshire or New York or the Carolinas.

The attempts to secure recognition of common interests, and to obtain agreement upon plans of coöperation, beginning with the New England Confederation of 1643,[1] and ending with the flat failure of Franklin's scheme,[2] at the Albany Convention of 1754, prove that the colonists were far from readiness to merge their separate interests into those of a comprehensive

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[1] For Art. of Confed. and Acts of the Commissioners of the United Colonies, *vid.* Plymouth Colony Records, Vols. IX and X.

[2] Text in Sparks's *Franklin*, I, 36. *Vid.* also Winsor, *Narrative and Critical Hist.*, V, 612; VI, 65–6.

organization. They refused to make such corporate recognition of mutual relations, as would be involved in the creation of organs for the performance of inter-colonial governmental functions.[1]

The convention of 1765 further illustrates the growing need of concurrent action, but it would be difficult to demonstrate that, at this time, there had been progress towards willingness to adopt methods of concurrence which would in any way subject the action of single colonies to the dictation of the rest. The Congress of 1774 proved to be the introduction to inter-colonial coöperation.

Section II. The Composition of the Congress.

Who or what the Congress of 1774 represented, and what its powers were, can be decided by reference to the credentials of the members. We learn from these, in the first place, what parties of men sent the delegates.

"Monday, September 5, 1774, a number of the delegates, chosen and appointed by the several colonies and provinces in North America, to meet and hold a Congress at Philadelphia, assembled at the Carpenter's Hall."[2] Of these, the delegates from New Hampshire, were chosen at a meeting "of the deputies" (85 in number) "appointed by the several towns."[3] The popular branch of the legislature appointed delegates or "committees,"[4] in Massachusetts, Rhode Island, and Pennsyl-

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[1] Whether such organization could have been effected with the sanction of the home government, we need not enquire. The point is that the colonial corporations did not want such arrangement enough to take any effective steps towards it. That the British colonial office might have perfected a plan of consolidation for the benefit of the mother country is probable. That the colonists would have accepted it is questionable. The text of the English scheme appears in the New Jersey Archives, Ser. 1, vol. VIII, pt. II, p. 1, *sq.*

[2] J. of C., Ed. of 1823, Vol. I, p. 1.

[3] J. of C., I, 2.

[4] Mass. and Penn.

vania.[1] Connecticut was represented by a delegation selected by the colonial committee of correspondence, acting under instructions from the House of Representatives.[2] In New York City, delegates were chosen by popular vote in seven wards. The "committees of several districts" in different parts of the state accepted the representatives so determined upon as their own.[3] The county of Suffolk appointed a separate representative, and September 17, "a delegate from the county of Orange, in the colony of New York, appeared at Congress, and produced a certificate of his election by the said county."[4] King's county also chose a delegate who appeared in Congress October 1.[5] In New Jersey, "committees, appointed by the several counties,"[6] chose delegates. The language of the Delaware instructions is obscure; but it appears that "in pursuance of circular letters from the speaker of the house," "the representatives of the freemen of the government of the counties of New Castle, Kent, and Sussex, on Delaware," who would have constituted the Assembly, if regularly summoned, appointed delegates to the Congress.[7] In Maryland the selection was made "at a meeting of the committees appointed by the several counties of the province."[8] Virginia proceeded in the same manner.[9] In North Carolina, "a general meeting of deputies of the inhabitants" of the province took the responsibility of sending representatives.[10] In South Carolina, "a general meeting of the inhabitants" of the colony, nominated, appointed, and instructed "deputies," and the Commons House of Assembly resolved to "recognize, ratify and confirm the appointment."[11] Georgia was not represented.

It is obvious that a body so constituted was entirely extra-legal and irregular. It could have no authority to commit

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[1] J. of C., I, 2 and 4.
[2] J. of C., I, 3.
[3] J. of C., I, 4.
[4] J. of C., I, 9.
[5] J. of C., I, 15.
[6] J. of C., I, 4.
[7] J. of C., I, 5.
[8] J. of C., I, 6.
[9] J. of C., I, 6.
[10] J. of C., I, 9.
[11] J. of C., I, 7.

the colonial corporations to any course of action.[1] Even its significance as a reflector of popular opinion could only be approximately conjectured.

Section III. The Powers of the Members.

The credentials contain instructions appropriate, in nearly every case, to the extraordinary character of the Congress. The New Hampshire delegation were:

"To devise, consult, and adopt such measures, as may have the most likely tendency to extricate the colonies from their present difficulties; to secure and perpetuate their rights, liberties, and privileges, and to restore that peace, harmony, and mutual confidence, which once happily subsisted between the parent country and her colonies."[2]

The vote of the Massachusetts House reads:

" . . . do resolve; that a meeting of committees from the several colonies on this continent, is highly expedient and necessary, to consult upon the present state of the colonies, and the miseries to which they are and must be reduced, by the operation of certain acts of parliament respecting America, and to deliberate and determine upon wise and proper measures, to be by them recommended to all the colonies, for the recovery and establishment of their just rights and liberties, civil and religious, and the restoration of union and harmony between Great Britain and the colonies, most ardently desired by all good men. Therefore, resolved, that . . . be . . . a committee, on the part of this province, for the purposes aforesaid . . . "[3]

Governor Wanton, of Rhode Island, signed instructions as follows:

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[1] In Mass., Conn., Penn., and especially R. I., there was apparently clearer legal authorization of the conference than in the other colonies. *Cf.* J. of C., I, 2.

[2] J. of C., I, 2.

[3] J. of C., I, 2.

"Whereas the general assembly of the colony aforesaid have nominated and appointed you . . . to represent the people of this colony in General Congress of representatives from this and other colonies. . . . I do therefore hereby authorize . . . you . . . to meet and join with the commissioners or delegates from the other colonies, in consulting upon proper measures to obtain a repeal of the several acts of the British parliament, for levying taxes upon his majesty's subjects in America, without their consent, and particularly an act lately passed, for blocking up the port of Boston, and upon proper measures to establish the rights and liberties of the colonies, upon a just and solid foundation. . . . "[1]

The Connecticut representatives were enjoined:

"To consult and advise on proper measures for advancing the best good of the colonies, and such conferences, from time to time, to report to this house."[2]

The New York delegates bore simply certificates of election as representatives of districts in the city, or counties.[3] In New Jersey, directions were issued:

"To represent the colony of New Jersey in the said General Congress,"[4]

The Assembly of Pennsylvania resolved:

"That there is an absolute necessity that a congress of deputies from the several colonies, be held as soon as conveniently may be, to consult together upon the present unhappy state of the colonies, and to form and adopt a plan for the purposes of obtaining redress of American grievances, ascertaining American rights upon the most solid and constitutional principles, and for establishing that union and harmony between Great Britain and the colonies, which is indispensably necessary to the welfare and happiness of both."[5]

The Delaware Assembly, assuming that as the governor had refused to summon the legislature in his other province of

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[1] J. of C., I, 8. [2] J. of C., I, 3. [3] J. of C., I, 4.
[4] J. of C., I, 5. [5] J. of C., I, 5.

Pennsylvania, he could not be expected to act otherwise in Delaware, declared that:

"The next most proper method of answering the expectations and desires of our constituents, and of contributing our aid to the general cause of America, is to appoint commissioners or deputies in behalf of the people of this government; to meet and act with those appointed by the other provinces, in General Congress: We do therefore . . . appoint . . . to consult and advise with the deputies of the other colonies, and to determine upon all such prudent and lawful measures, as may be judged most expedient for the colonies immediately and unitedly to adopt, in order to obtain relief for an oppressed people, and the redress of our general grievances."[1]

The committees appointed by the several counties of Maryland:

"Resolved, That . . . be deputies for this province, to attend a General Congress of deputies from the colonies, . . . to effect one general plan of conduct, operating on the commercial connection of the colonies with the mother country, for the relief of Boston, and preservation of American liberty."[2]

The delegates appointed from the different counties of Virginia, resolved:

"That it is the opinion of this meeting, that it will be highly conducive to the security and happiness of the British Empire, that a General Congress of deputies from all the colonies assemble as soon as the nature of their situations will admit, to consider of the most proper and effectual manner of so operating on the commercial connection of the colonies with the mother country, as to procure redress for the much injured province of Massachusetts Bay, to secure British America from the ravage and ruin of arbitrary taxes, and speedily to procure the return of that harmony and union, so beneficial to the whole empire, and so ardently desired by all British America." "The meeting proceeded to the choice of . . . for that purpose."[3]

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[1] J. of C., I, 5. [2] J. of C., I, 6. [3] J. of C., I, 6.

The "general meeting of deputies of the inhabitants" of North Carolina, defined its purposes with more emphasis. It resolved:

"That we approve of the proposal of a General Congress, to be held in the city of Philadelphia, . . . to deliberate upon the present state of British America, and to take such measures as they may deem prudent, to effect the purpose of describing with certainty the rights of Americans, repairing the breach made in these rights, and for guarding them for the future from any such violations done under the sanction of public authority.

"Resolved, That . . . be deputies to attend such Congress, and they are hereby invested with such powers as may make any acts done by them, or consent given in behalf of this province, obligatory in honour upon every inhabitant hereof, who is not an alien to his country's good, and an apostate to the liberties of America."[1]

The Commons House of Assembly, of South Carolina, being informed that during the recess of the house

"a general meeting of the inhabitants" of the colony, appointed deputies "to meet the deputies of the other colonies of North America, in General Congress, . . . to consider the acts lately passed, and bills depending in parliament with regard to the port of Boston, and colony of Massachusetts Bay, which acts and bills, in the precedent and consequences affect the whole continent of America, also the grievances under which America labors, by reason of the several acts of parliament that impose taxes or duties for raising a revenue, and lay unnecessary restraints and burdens on trade; and of the statutes, parliamentary acts, and royal instructions, which make an invidious distinction between his majesty's subjects in Great Britain and America, with full power and authority to concert, agree to, and effectually prosecute such legal measures, as in the opinion of the said deputies, and of the deputies so to be assembled, shall be most likely to obtain a repeal of the said acts, and a redress of those grievances:

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[1] J. of C., I, 9.

"Resolved, that this house do recognize, ratify, and confirm the appointment of the said deputies for the purposes mentioned."[1]

Such expressions as "prosecute such legal measures," in the South Carolina act; and the language of the last paragraph of the North Carolina instructions, have sometimes been used in support of the claim that the Congress thus constituted was more than a consultative and advisory body. It is, therefore, pertinent to analyze the proceedings of the Congress, in order to discover its own interpretation of its powers.

Section IV. The Organization of the Congress of 1774.

After choice of President[2] and Secretary,[3] it was voted:

"That in determining questions in this Congress, each colony or province shall have one vote. The Congress not being possessed of, or at present able to procure proper materials for ascertaining the importance of each colony."[4]

September 5, 1774, the formation of committees began. In the first place a committee, consisting of two from each of the colonies, was appointed:

"To state the rights of the colonies in general, the several instances in which these rights are violated or infringed, and the means most proper to be pursued for obtaining a restoration of them."[5]

A second committee was chosen, consisting of one delegate from each colony:

"To examine and report the several statutes, which affect the trade and manufactures of the colonies."[6]

September 27, it was resolved:

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[1] J. of C., I, 7.
[2] Peyton Randolph, of Va.
[3] Charles Thomson, not a delegate.
[4] J. of C., I, 7.
[5] J. of C., I, 7, 8.
[6] J. of C., I, 7, 8.

"That from and after the 10th day of September, 1775, the exportation of all merchandise and every commodity whatsoever to Great Britain, Ireland, and the West Indies, *ought to* cease, unless the grievances of America are redressed before that time."

Whereupon it was ordered that a third committee of five members

"bring in a plan for carrying into effect the non-importation, non-consumption, and non-exportation resolved on."[1]

October 1, a committee of five was appointed to prepare "a loyal address to his majesty."[2] On the 7th, a committee of three was appointed:

"To prepare a letter to his excellency, general Gage, representing 'that the town of Boston and province of Massachusetts Bay are considered by all America as suffering in the common cause, etc.,' and entreating that the work of fortification be discontinued, 'and that a free and safe communication be restored and continued between the town of Boston and the country.'"[3]

October 11th, a committee of three was formed to prepare a "memorial to the people of British America," and "an address to the people of Great Britain."[4]

October 21st, a committee of three was appointed to prepare an address:

"To the people of Quebec, and letters to the colonies of St. John's, Nova Scotia, Georgia, East and West Florida, who have not deputies to represent them in this Congress."[5]

The committees thus enumerated are all, of any consequence, which the Congress appointed.

It seems superfluous to construe these facts. There was nothing administrative or governmental about the organization of the body. So far, it certainly did not exceed nor transgress the letter of its members' instructions.

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[1] J. of C., I, 15. [2] J. of C., I, 16. [3] J. of C., I, 17.
[4] J. of C., I, 19. [5] J. of C., I, 38.

Section V. The Acts of the Congress of 1774.

In examining the acts of the first Congress, we are reduced to an analysis of resolutions and pronunciamentos. The various committees into which the body resolved itself received certain instructions from the Congress,[1] which need not be separately considered, as they were incorporated into the reports subsequently submitted and accepted.

The Congress further received and considered several communications. The most important of these were: First, an account of the

"resolutions entered into by the delegates from the different towns and districts in the county of Suffolk, in the province of Massachusetts Bay, on Tuesday, the 6th of September, and their address to his excellency, governor Gage, dated the 9th."[2]

It does not appear that any specific action was expected of the Congress, but the members resolved unanimously:

"That this assembly deeply feels the suffering of their countrymen in the Massachusetts Bay, under the operation of the late unjust, cruel, and oppressive acts of the British parliament—that they most thoroughly approve the wisdom and fortitude with which opposition to these wicked ministerial measures has hitherto been conducted, and they earnestly recommend to their brethren a perseverance in the same firm and temperate conduct as expressed in the resolutions, . . . trusting that the effect of the united efforts of North America in their behalf, will carry such conviction to the British nation of the unwise, unjust, and ruinous policy of the present administration, as quickly to introduce better men and wiser measures.

"That contributions from all the colonies, for supplying the necessities, and alleviating the distresses of our brethren at Boston, ought to be continued in such manner and so long, as their occasions may require."[3]

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[1] J. of C., I, 16, 17, *et passim.* [2] J. of C., I, 9. [3] J. of C., I, 14.

Whatever comment is necessary, by way of interpretation of these acts, with reference to the relations of which we are in search, may be made in connection with: Second, a letter from the Boston committee of correspondence, reciting the illegal and oppressive acts of the governor, and requesting "the *advice* of the Congress."[1] In response to this letter, the Congress, after appointing the committee mentioned above, resolved:

"That this Congress approve the opposition of the inhabitants of the Massachusetts Bay, to the execution of the late acts of parliament; and if the same shall be attempted to be carried into execution by force, in such case all America *ought to* support them in their opposition."[2]

The next day (October 10, 1774) Congress, resuming consideration of the same subject, resolved unanimously:

"That it is the opinion of this body, that the removal of the people of Boston into the country, would be not only extremely difficult in the execution, but so important in its consequences, as to require the utmost deliberation before it is adopted; but in case the provincial meeting of the colony should judge it absolutely necessary, it is the opinion of the Congress, that all America ought to contribute towards recompensing them for the injury they may thereby sustain, and it will be recommended accordingly."

"*Resolved*, That the Congress recommend to the inhabitants of the colony of the Massachusetts Bay, to submit to a suspension of the administration of justice, where it cannot be procured in a legal and peaceable manner, under the rules of their present charter, and the laws of the colony founded thereon.

"*Resolved unanimously*, That every person and persons whomsoever, who shall take, accept, or act under any commission or authority, in any wise derived from the act passed in the last session of parliament, changing the form of government, and

[1] J. of C., I, 16.

[2] J. of C., I, 17. The Italics are mine.

violating the charter of Massachusetts Bay, *ought to* be held in detestation and abhorrence by all good men, and considered as the wicked tools of that despotism, which is preparing to destroy those rights, which God, nature, and compact have given to America."[1]

Surely no commentary could add to the conclusiveness of this language. It demonstrates that the body holding it was perfectly aware of its own character, as a committee of observation and recommendation, without legislative or executive powers of any sort.

On the 11th of October, the letter to Gen. Gage, prepared by the committee, was signed by the President, "in behalf of the General Congress." It recites, to be sure, that "the representatives of his majesty's faithful subjects in all the colonies from Nova Scotia to Georgia," have been appointed "the *guardians* of their rights and liberties."[2] But in this case, as almost invariably during the period, words must be interpreted by acts, or their import will be misunderstood. The protest to Gen. Gage, and the subsequent advice to the people of Massachusetts Bay, did not involve or imply any different relation of the Congress to the colonies from that which would exist between a committee of college students, protesting against alleged violation of laws of the trustees by some member of the faculty, and the general body of students, for whom, on the one hand, they spoke, and to whom they issued recommendations. Or, if a more perfect analogy be sought, a general convention of American railroad representatives, deliberating upon the rights and wrongs of their respective corporations under United States law, and on the one hand protesting to Congress against the administration of the Inter-State Commerce Act, and on the other hand, resolving upon advice to their principals, would illustrate the main fact in the relation between this Congress and the people by which it was created.[3]

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[1] J. of C., I, 18. [2] J. of C., I, 18.

[3] Of course no opinion upon the legal status of delegations, appointed as in 1774, is implied in this comparison.

Congress exemplified the nature of its function of guardianship again, by resolving unanimously, with reference to the people of Massachusetts Bay:

"That they be advised still to conduct themselves peaceably towards his excellency, general Gage, and his majesty's troops, now stationed in the town of Boston, as far as can possibly be consistent with their immediate safety, and the security of the town, avoiding and discountenancing every violation of his majesty's property, or any insult to his troops, and that they peaceably and firmly persevere in the line they are now conducting themselves, on the defensive."[1]

The most important business of the Congress was the preparation of the various documents which were intended not merely as weapons of peaceful warfare, but as incitement and equipment in case resort should be necessary to desperate means.

I. The first of these campaign documents was the *Declaration of Rights and Grievances*.[2] We must regard this composition as the chart which the Congress drew for its own guidance. It was the platform of the assembly. It was the congressional confession of faith. It contains the claims which were insisted on in America and disallowed in England until the alternative of submission or independence alone remained.[3]

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[1] J. of C., I, 19.

[2] J. of C., I, 19–22.

[3] In the history of American political opinion this manifesto is a monument, but for the purposes of the present discussion, we need to notice only the fourth clause: "*Resolved*, That the foundation of English liberty, and of all free government, is a right in the people to participate in their legislative council: and as the English colonies are not represented, and from their local and other circumstances cannot properly be represented in the British parliament, they are entitled to a free and exclusive power of legislation in their several provincial legislatures, where the rights of representation can alone be preserved, in all cases of *taxation* and *internal polity*, subject only to the negative of their sovereign, in such manner as has been heretofore used and accustomed."

The words in Italics soon became familiar in state constitutions and elsewhere. Their meaning, like that of other familiar words of the period, must be derived from political not rhetorical usage.

II. The second measure of importance was the *Act of Association.*[1] The representatives of the twelve commonwealths signed an agreement containing a pledge to unite with the others to secure in each colony:

1. Non-importation from England, or English colonies not in the Association.

2. Discontinuance of the foreign slave trade.

3. Non-consumption of East India tea, and of certain other imports.

4. Non-exportation to England and colonies after September 5, 1775.

5. Regulations facilitating execution of the agreement.

6. Provision for improving the breed of sheep, and for equitable sale of mutton.

7. Encouragement of frugality and discouragement of luxury and extravagance.

8. Avoidance of scarcity prices and monopoly.

9. Prevention of evasion of this agreement by individuals.

10. Non-intercourse with "any colony or province in North America which shall not accede to, or which shall hereafter violate, this association," and determination to "hold them as unworthy of the rights of freemen, and as inimical to the liberties of their country."

11. Ratification of the assertion that: "We do solemnly bind ourselves and our constituents, under the ties aforesaid, to adhere to this association till the obnoxious acts are repealed.

The act concludes with the kind of provision which is the key to all acts of the Continental Congress:

"We *recommend* it to the provincial conventions, and to the committees in the respective colonies, to establish such farther

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[1] J. of C., I, 23–26.

regulations as they may think proper, for carrying into execution this association."[1]

III. The third publication was an address to their "friends and fellow subjects" of Great Britain.[2] It is a review of the American case, at somewhat greater length and in more direct and persuasive language than in the Declaration of Rights. Appeal is taken from "wicked ministers and evil counsellors, whether in or out of office," to the magnanimity and justice of the British nation." It might have been issued with propriety by any patriotic individual, or by any single colony.[3] Weight attached to it beyond that which it would have possessed had it come from one of the latter sources, because it more obviously reflected the attitude of great numbers of the colonists. It was in no sense the announcement of a policy which a government was to force upon a people. It foreshadowed a policy according to which a people would presently find themselves obliged to extemporize a substitute for a government.

IV. The fourth expression of opinion worthy of notice is a memorial to the inhabitants of the twelve colonies.[4] It is

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[1] It may not be superfluous to repeat that this epitome of the proceedings of the Congress is a rehearsal of familiar facts, with especial reference to obscured relations. The argument is: 1. The *powers* of the Congress, as defined by the votes of the bodies granting the credentials, are those of a committee for consultation and advice; 2. The *acts* of the Congress, which we are now analyzing, are conformable to these instructions; hence: 3. The authority of a "*government*" cannot be predicated of this committee.

If it be answered that no one now claims that the Congress of 1774 was in any sense a governmental body; the reply is that the same sort of reasoning which makes the Congress of 1775 a "national government," (vid. Curtis, Chap. II), might be applied to the Congress of 1774. If, therefore, the facts about this earlier committee of safety be recognized, the truth will be more readily perceived in the later case.

[2] J. of C., I, 26.

[3] Substantially this was done by South Carolina, September, 1775. Am. Archives, Ser. IV, Vol. III, 201; also by Mass., in the Spring of the same year. J. of C., I, 66–7.

[4] J. of. C., I, 31. It is worthy of note that Ga., because not represented in the Congress, was not mentioned among the colonies addressed.

another and wonderfully temperate discussion of the course of the British government from the close of the French war. It announces the conclusion that:

"It is clear, beyond a doubt, that a resolution is formed, and now carrying into execution, to extinguish the freedom of these colonies, by subjecting them to a despotic government."

The Congress indicates, in most significant language, its true relation to the colonies, when it declares:

"Our resolutions[1] thereupon will be herewith communicated to you. But, as the situation of public affairs grows, daily, more alarming, and, as it may be more satisfactory, to you, to be informed by us, in a collective body, than in any other manner, of those sentiments that have been approved, upon a full and free discussion, by the representatives of so great a part of America, we esteem ourselves obliged to add this address to these resolutions."[2]

The memorial explains the considerations which prevailed in favor of the recommendation of commercial rather than military opposition to England, and concludes as follows:

"Your own salvation, and that of your posterity, now depends upon yourselves. You have already shown that you entertain a proper sense of the blessings you are striving to retain. Against the temporary inconveniences you may suffer from a stoppage of trade, you will weigh in the opposite balance the endless miseries you and your descendants must endure, from an established arbitrary power. You will not forget the honor of your country, that must, from your behavior, take its title in the estimation of the world, to glory, or to shame; and you will, with the deepest attention, reflect, that if the peaceable mode of opposition recommended by us be broken and rendered ineffectual, as your cruel and haughty ministerial enemies, from a contemptuous opinion of your firmness, insolently predict will be the case, you must inevit-

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[1] Referring to the other acts mentioned in this section.

[2] J. of C., I, 32.

ably be reduced to choose either a more dangerous contest, or a final, ruinous, and infamous submission.

"Motives thus cogent, arising from the emergency of your unhappy condition, must excite your utmost diligence and zeal, to give all possible strength and energy to the pacific measures calculated for your relief: But we think ourselves bound in duty, to observe to you, that the schemes agitated against these colonies have been so conducted as to render it prudent, that you should extend your views to mournful events, and be, in all respects, prepared for every contingency. Above all things, we earnestly intreat you, with devotion of spirit, penitence of heart, and amendment of life, to humble yourselves and implore the favor of Almighty God; and we fervently beseech his divine goodness to take you into his gracious protection."[1]

There is pathos, if not authority, in these words. The representatives of the colonies in Congress, from 1774 to 1783 were, all things considered, prudent and wise enough to have wielded vastly more power than they ever received. They were not a government, but their influence upon the different parties to the Association was exerted with patience and discretion which compel admiration. The weakness of the system by which the colonies coöperated makes more marvellous the persistency and resources of the men who, by use of that system, conquered success.

V. The fifth act to be mentioned in this connection is the resolution of October 22d:

"Resolved, *as the opinion of this Congress,* that it will be necessary that another Congress should be held on the tenth of May next, unless the redress of grievances, which we have desired, be obtained before that time. *And we recommend* that the same be held at the city of Philadelphia, and that all the colonies in North America choose deputies, as soon as possible, to attend such Congress."[2]

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[1] J. of C., I, 38.

[2] J. of C., I, 39.

Attention to the italicised words will prevent attribution of authoritative character to the resolution.

VI. *The letter to the unrepresented colonies of St. John's, etc.*, approved October 22d, was but a brief note calling attention to the acts of the Congress, copies of which were enclosed, and recommending that the measures proposed be "adopted with all earnestness" by the colony addressed.[1]

VII. A vote which is usually passed over in silence, in accounts of this Congress, deserves to be included in this list: viz., the resolve of October 25, as follows:

"That this Congress, in their own names, and in behalf of all those whom they represent, do present their most grateful acknowledgments to those truly noble, honourable, and patriotic advocates of civil and religious liberty, who have so generously and powerfully, though unsuccessfully, espoused and defended the cause of America, both in and out of parliament."[2]

As the Congress possessed only moral powers, this apparently insignificant acknowledgment of friendship and sympathy in England was not only a deserved tribute to valuable allies, but it was the nearest approach to an actual evolution in the political battle that the character of the Congress permitted.

VIII. *The letter to the colonial agents* in England was a request that the authorized and recognized representatives of the colonial corporations, should act as media of communication between the extraordinary and irregular body claiming to speak for the corporations, and the king of Great Britain, and the other persons to whom the Congress sent addresses. It appealed to the personal zeal of the agents, as it could not command their official service, and expressed the hope that

"your good sense and discernment will lead you to avail yourselves of every assistance that may be derived from the advice and friendship of all great and good men who may incline to aid the cause of liberty and mankind." It also "begged the favor" that

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[1] J. of C., I, 39.

[2] J. of C., I, 40.

the agents would "transmit to the speakers of the several assemblies the earliest information of the most authentic accounts you can collect, of all such conduct and designs of ministry or parliament as it may concern America to know."[1]

IX. *The address to the inhabitants of Quebec* was an olive branch to a people of another language and religion, between whom and the English colonists hardly concealed jealousies and suspicions existed;[2] whose assistance would nevertheless be of no little consequence if the issues with the mother country should have to be decided by force. Although it seems to "talk down" to the people whose coöperation it was prepared to win, it is a spirited appeal to the French Catholics of Quebec, to resent the injuries and insults which they had received from the English government, and to seek reparation in alliance with their oppressed neighbors. It promised that the colonies for whom it spoke, although Protestant, would respect the religious convictions of the people of Quebec. It urged them to adopt the recommendations of the Act of Association. It invited them

"to add yourselves to us, to put your fate, whenever you suffer injuries which you are determined to oppose, not on the small influence of your single province, but on the consolidated powers of North America."[3]

It need hardly be remarked that all pledges and assurances in this document assumed the indorsement of the members of the twelve corporations for whom its authors spoke. That the indorsement would have been given is probable. That the Congress had any power to compel it need not be expressly denied.

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[1] J. of C., I, 40.

[2] Vid. Declaration of the county of Suffolk, Art. 11. Also similar article in Dec. of Rights by the Congress.

[3] J. of C., I, 40–45.

X. The final important act of the Congress was the signing of the *petition to the king.*[1] In the name and behalf of "his majesty's faithful subjects" of the twelve colonies, it presented another version of the same facts which had been so variously proclaimed. It appeals from the ministers:

"Those designing and dangerous men, who daringly interposing themselves between your royal person and your faithful subjects, . . . have at length compelled us, by the force of accumulated injuries, too severe to be any longer tolerable, to disturb your majesty's repose by our complaints."[2]

Americans will probably never be able to account for the stupidity of the English king, in refusing to be moved from his fatal policy, in view of the matter in the complaints. It is quite easy, however, to understand his displeasure at the method and means of bringing the subject to his attention. To use a modern term, the Continental Congress was an inchoate "trust." If Franklin's Albany proposition of 1754 had been considered dangerous by the home government, how much more reason to fear even this federal advisory committee![3]

Section VI. The Corresponding Acts of the Colonies.

The same obscurity has not covered the relations between the Congress of 1774 and the various colonies, which prevails among commentators upon the character of the later Congresses. It will, nevertheless, be well to recall a few typical acts of the different colonial representative bodies, which will complete our outline of congressional and colonial relations for the period.

Although not in the strictest sense acts representing the corporations, it is proper to mention the responses to the

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[1] J. of C., I, 46–9.

[2] J. of C., I, 48.

[3] Vid. letter of Lord Dartmouth; Penna. Archives, 1st Ser., Vol. 4, pp. 576–7.

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recommendations of Congress, that Massachusetts be supported in her opposition to the oppressive acts of parliament, and that contributions be made to repair losses endured in the struggle.

The collections of the Massachusetts Historical Society contain the most satisfactory evidences that in each of the colonies there were people eager to observe and even anticipate the advice.[1] The letters referred to are full of information for the investigator of the tendencies of opinion in the colonies. They do not show, however, that the advice of the Congress had any marked influence on the contributors. Not only was aid sent before Congress met, but it would be difficult to prove that any more assistance was given than would have been rendered had Congress never mentioned the subject.

More directly indicative of popular sentiment, though at the same time confirmatory of the conclusion that the Congress was utterly devoid of coercive power, were the acts of popular gatherings, in view of the measures adopted by Congress.

In New Hampshire a popular convention, numbering one hundred and forty-four members, chosen by the towns, met, January 25, 1775, and declared its hearty approval "of the proceedings of the late grand continental Congress." The convention exhorted the people of New Hampshire "strictly to adhere to the Association."[2]

The provincial Congress of Massachusetts passed a resolve, December 5, 1774, approving the proceedings of Congress, and ordering a copy of the resolution to be sent to all the towns and districts.[3] Many of the inhabitants immediately signed a pledge to abide by the Association.

The Connecticut assembly unanimously approved the proceedings of the Congress, and ordered the towns to strictly observe the Association.

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[1] Mass. Hist. Coll., Ser. IV, Vol. IV.

[2] N. H. Prov. Papers, Vol. VII, 443. The proceedings of several towns and counties appear, 444–51.

[3] Am. Archives, Ser. IV, Vol. I, 997, and J. of C., I, 50.

A special meeting of the Rhode Island assembly approved the proceedings of the Congress, December 8, 1774.[1]

In the New York Assembly the motion "to take into consideration the proceedings of the Continental Congress" was lost, and the empire state of the future stood with Georgia alone in a non-committal, and, it was feared, hostile attitude towards the measures recommended for relieving America from oppression.[2] The temper of New York was so doubtful that inquiry was set on foot in Virginia, March 24, 1775, as to whether the former colony had forsaken the colonial cause. The same question was agitated in Maryland and other colonies.[3]

The action of New Jersey, like that of nearly all the colonies, was at first fragmentary; but after various local ratifications,[4] the New Jersey delegates to the Continental Congress laid the proceedings of the continental body before the colonial assembly, October 24; and the house unanimously voted to approve the same, "such as are of the people called Quakers excepting only to such parts as . . . may have a tendency to force."[5] The provincial Congress of New Jersey resolved unanimously, May 26, 1775, to "earnestly recommend to the

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[1] R. I. Col. Records, VII, 263.

[2] Am. Arch., Ser. IV, Vol. I, 1188–90. For resolves of counties, vid. same, *passim*.

[3] Am. Arch., Ser. IV, Vol. II, 1, 168, 379, 387, 389, 448. "New York was the pivot of the policy of ministers. Like North Carolina and Georgia, it was excepted from restraints imposed on the trade and fisheries of all the rest. The defection of its assembly from the acts of the general Congress was accepted as proof that it would adhere to the king; and the British generals, who were on the point of sailing for America, were disputing for the command at that place. . . . All believed that it had been won over to the royal cause, and that the other provinces could easily be detached, one by one, from the union, so that it would be a light task to subdue Massachusetts." Bancroft, IV, 149.

[4] Am. Arch., IV, I, 1028, 1051. N. J. Arch., Ser. I., Vol. X, 530. Am. Arch., IV, I, 1084, 1102, 1124.

[5] Am. Arch., IV, I, 1124, 1126, and letter of Gov. Franklin, N. J. Arch., I, 10, 575.

good people of this province, that they do most religiously adhere to the said resolution."[1]

The Pennsylvania Assembly approved the proceedings of the Congress, December 10, and recommended the good people to observe them inviolate.[2] The provincial convention confirmed this action the following January by voting unanimously:

"That this convention most heartily approve of the conduct and proceedings of the Continental Congress; that we will faithfully endeavor to carry into execution the measures of the Association entered into and recommended by them, and that the members of that very respectable body merit our warmest thanks by their great and disinterested labors for the preservation of the rights and liberties of the British colonies."[3]

In Delaware, the Assembly voted, March 15, 1775, "to approve of the proceedings of the late Congress."[4]

The counties of Maryland first chose committees "to carry into execution the Association agreed on by the American Continental Congress." Then a provincial meeting of deputies from the several counties, "read, considered, and unanimously approved" the proceedings of the Continental Congress (December 8–12). The convention further resolved:

"That every member of this convention will, and every person in the province ought, strictly and inviolably observe and carry into execution the Association agreed on by the said Continental Congress."[5]

"A convention of delegates for the counties and corporations" of Virginia met at Richmond, March 20, 1775, after many local ratifications had been voted, and resolved unanimously:

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[1]Am. Arch., IV, II, 689.
[2]Am. Arch., IV, I, 1023.
[3]Am. Arch., IV, I, 1170.
[4]Am. Arch., IV, II, 126.
[5]Am. Arch., IV, I, 1031.

"That this convention doth entirely and cordially approve of the proceedings of the American Continental Congress."[1]

The House of Burgesses, June 5, 1775, adopted the following:

"Resolved, That this house doth entirely and cordially approve the proceedings and resolutions of the American Continental Congress, and that they consider this whole continent as under the highest obligations to that very respectable body, for the wisdom of their councils, and their unremitted endeavors to maintain and preserve inviolate the just rights and liberties of his majesty's dutiful and loyal subjects in America."[2]

The Assembly of North Carolina, April 7, 1775, passed the following resolve:

"That the house do highly approve of the proceedings of the Continental Congress, lately held at Philadelphia, and that they are determined, as members of the community in general, that they will strictly adhere to the said resolutions, and will use what influence they have to induce the same observance in every individual in this province."[3]

A provincial assembly had previously (August, 1774) promised to support the action of the Congress, and to have no further dealings with towns or individuals who declined to take similar action.[4]

After the vote of April 7, Governor Martin dissolved the Assembly (April 8, 1775).[5] At the same time and place a provincial convention was in session, and it voted (April 5) its approval of the act of association, and recommended to its "constituents" to adhere firmly to the same.[6] The provincial

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[1]Am. Arch., IV, II, 167. [2]Am. Arch., IV, II, 1192, 1221.
[3]J. of C., I, 54, and Am. Arch., IV, II, 265.
[4]Am. Arch., IV, I, 735. [5]Am. Arch., IV, II, 266.
[6]Am. Arch., IV, II, 265 and 268.

Congress, which met August 21, 1775, ratified or repeated the approval.[1]

Deputies from every parish and district in South Carolina met (January 11, 1775) and voted "that this Congress do approve the American Association."[2]

Section VII. Conclusions with Reference to Traditional Fallacies about the Congress of 1774.

Comments upon typical expressions of opinion will sufficiently summarize the conclusions to be drawn from the facts thus far considered.

"*The signature of the Association by the members of Congress may be considered as the commencement of the American Union.*"[3]

"*The Association was virtually law, bearing on the individual. . . . the first enactment, substantially, of a general law by America.*"[4]

"*That memorable league of the continent in* 1774, *which first expressed the sovereign will of a free nation in America.*"[5]

If the words "union," "law," "sovereign," "nation," had not subsequently so often been forced on the rack of sophistry, to utter false evidence in justification of a theory, the expressions quoted might pass as natural and innocent hyperbole. They were not used hyperbolically by the school of interpretation which prevailed until the close of the civil war, and which still holds its ground in the literature of our constitutional history. They were literal and exact technicalities, in conclusions, if not in premises. Composed into political creeds, these terms have been the means of exalting arbitrary and

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[1] Am. Arch., IV. III, 186. The Mecklenburg Declaration is not referred to in this discussion, for reasons stated below. The last word on the subject has been well said in the *Magazine of American History*, for March, 1889, by President James C. Welling, LL. D.

[2] Am. Arch., IV, I, 1110–12.

[3] Hildreth, III, 46.

[4] Frothingham, *Rise of the Republic*, 373.

[5] President John Adams; Benton's Abridgment, II, 404.

unnatural hypotheses to the rank of fundamental truth. With the endorsement of eminent names, they became the axioms of a great political party, and the justification of a persistent, and at length triumphant, political policy. Time will show that the policy had more substantial justification than the defective historical reasoning which supported it. Since the end of a long historical process has been happily reached, it is possible to examine calmly the views which contributed to the result. Patriotic fictions are no longer political necessities. We shall not undermine or undervalue our present nationality by showing that the philosophy which assisted in its establishment was built on a misconception of history.

The term "union," then, can only by the most liberal accommodation be used in connection with the agitations of 1774. There were common grievances. There was prospect of remedy only in combination of the colonies for mutual counsel and support. There was common indignation against the mother country, with almost universal hope that reconciliation, not separation, would result. There was common determination to insist upon constitutional rights, and to grant moral and material aid to the colony or colonies that might make test cases with the home government. There was common recognition of the necessity of coördinating effort under leadership competent to survey the whole situation and point out suitable lines of action. There was common willingness to adopt the advice of a central committee of observation. It will be the aim of a later portion of this work to show that all this, instead of being a matter of course, was evidence of magnanimity altogether admirable. Concert only to this extent was, in some respects, more difficult than it would be to-day for all the republics of the Western Hemisphere to form a commercial alliance. Concert to a greater extent cannot be created by theorizing after the event. To be proved, it must be discovered. The records contain nothing beyond the facts already characterized. To use the term "union," then, with its present associations, is to introduce an inexcusable historical solecism.

Of the word "law," similar assertions are necessary. There was no law, in any colony, but the constitution and laws of England, the special colonial charter, and the enactments of the legislative bodies which the charter authorized. The action of towns and counties upon the recommendations of the Congress, manifests the utmost uncertainty about the jurisdiction even of the local officers, and the sanction of the customary laws.[1]

It is a deliberate distortion of the instructions, the language and the acts of the Congress, and of the proceedings of the

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[1] The relations of the local units to the earlier provincial assemblies cannot be discussed within the limits of this work. The subject deserves careful investigation in each State. Whether the relations which appear in the course of the year 1775, to be exhibited in the fifth section of Chapter III, are essentially new, or merely manifestations of what had previously been latent, I have purposely refrained from inquiring, because the question calls for thirteen distinct constitutional studies. The following citations simply fortify the statement in the text, without reference to further conclusions.

In case of N. H., Am. Arch., IV, I, 1105, 1229. The action of eastern Mass. need not be referred to specifically, as it is the substance of the Revolution thus far. In R. I., Am. Arch., IV, I, 1049. In Conn, same, 788, 827, 1038, 1075, 1215, 1202, 1236. In N. Y., same, 1027, 1035, 1068, 1091, 1100, 1164, 1183, 1191, 1201, 1230. In N. J., same, 1012, 1028, 1051, 1084, 1102, 1106, 1163. In Penn., same, 1052, 1144. In Va., same, 1008, 1022, 1026, 1031, and II, 281, 299, 372. In N. C. the resolves of the Committee of Mecklenburgh Co. (May 31, 1775, not the alleged declaration of the 20th), though belonging in the next period, deserve the most careful attention. Am. Arch., IV, II, 855. The following clauses are in place here:

"That all commissions, civil and military, heretofore granted by the crown, to be exercised in these colonies, are null and void, and the *constitution of each particular colony* wholly suspended.

"That the Provincial Congress of each province, under the direction of the great Continental Congress, is invested with all legislative and executive powers within their respective provinces, and that *no other legislative or executive power does, or can exist, at this time, in any of these colonies.*

"As all former laws are now suspended in this province, and the Congress have not provided others, we judge it necessary for the better preservation of good order, to form certain rules and regulations for the internal government of this county, until laws shall be provided for us by the Congress" (*i. e.*, the *provincial* Congress, as is evident from the context).

organizations that followed its advice, to represent it as, in any sense, a law-making body. Metaphor which can be so directly traced into fallacy deserves no toleration.

To admit the terms "sovereign," and "nation," into a description of American conditions at this stage, is to abandon investigation and classification, and to deliberately beg the issue. For the moment, government, even within the colonies, was partially paralyzed. It was doubtful who might command and who must obey. There is not a trace in any popular or official act of the time that can be rationally expounded as evidence of a claim, on the part of the Continental Congress, to power of inter-colonial control. Persons in South Carolina denounced Georgia, to be sure,[1] and there was talk of forcing that colony into participation with the rest. The argument was supposed expediency, justifying extraordinary action, not the assertion of any general principle subordinating the will of one colony to the command of all. The formation of a Continental Congress was the beginning of inter-colonial deliberation which broadened the horizon of the people, which emphasized the reasons for unity, which brought to popular attention the increasing number and importance of common interests, which created a continental opinion upon subjects of the most obvious common concern. The function of the first Continental Congress was not to express a "sovereign will," but to assist in the development of a common consciousness, so that there would, by and by, be a sovereign will to express. By creating this continental committee, the widely separated colonies became simply colonies testing the actuality and potency of their common ideas. They were no more a nation than twelve neighbors, meeting for discussion of a possible business venture, would be a partnership.

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[1]Am. Archives, IV, I, 1163.

CHAPTER III.

The Congress of 1775.[1]

Section I. The Parties Represented.

For the sake of clearness, although it involves repetition of reference and statement, the same lines of inquiry are here to be followed which have been observed in the preceding chapter. The people have, in almost every colony, committed themselves to revolution. They do not seem to realize that in discarding their charter governments they have decreed anarchy until they resort to the exercise of fundamental right and enact order. Wherever the charter government was no longer the *de facto* government; wherever the functions of government were performed under other sanction than that of the Crown of England, revolution was an accomplished fact. It required some time to teach the members of each colonial corporation this truth. Meanwhile the following organizations and bodies chose members of another continental committee, the character of which we shall discover by the same kind of examination as before.

In New Hampshire, "a convention of deputies appointed by the several towns in the province," met at Exeter, January 25, 1775, and chose two delegates.[2]

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[1] Only the first session of this Congress, viz., from May 10 to August 1, will be treated in this chapter. Although in the Spring of 1776 a part of the delegates acted under new credentials, which will be noticed in the proper place, it is more convenient to group the facts of the second session of 1775 with those of the next year, including the early part of July.

[2] J. of C., I, 50.

In Massachusetts Bay, the Provincial Congress chose five representatives, December 5, 1774.[1]

In Rhode Island, the General Assembly chose two delegates, May 7, 1775.[2]

In Connecticut, the House of Representatives appointed five delegates, November 3, 1774.[3]

In New York, "a provincial convention, formed of deputies from the city and county of New York, the city and county of Albany, and the counties of Dutchess, Ulster, Orange, Westchester, King's, and Suffolk," with four representatives of certain free-holders of Queen's county, met, April 22, 1775, and appointed twelve delegates.[4]

In New Jersey, five delegates were chosen by the Assembly, January 24, 1775.[5]

In Pennsylvania, the Assembly appointed six deputies, December 15, 1774. Three others were added May 6, 1775.[6]

In Delaware, the Assembly chose three representatives, March 16, 1775.[7]

In Maryland, "a meeting of the deputies, appointed by the several counties of the province," chose, December 8, 1774, seven delegates, with liberty to "any three or more of them" to represent the colony.[8]

In Virginia, "a convention of delegates for the counties and corporations in the colony," elected seven delegates, March 20, 1775.[9]

In North Carolina, "a general meeting of delegates of the inhabitants of the province, in convention," April 5, 1775, appointed three delegates.[10]

The Assembly, two days later, approved the choice of the convention.[11]

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[1] J. of C., I, 51. [2] J. of C., I, 70. [3] J. of C., I, 51.
[4] J. of C., I, 51. One half of these were evidently alternates.
[5] J. of C., I, 52. [6] J. of C., I, 52. [7] J. of C., I, 52.
[8] J. of C., I, 53. [9] J. of C., I, 53. [10] J. of C., I, 53.
[11] J. of C., I, 54.

In South Carolina, the Commons House of Assembly appointed five deputies, February 3, 1775.[1]

It would be foreign to our purpose to enter upon the question of the relation of these various delegations to the members of the colonial corporations for whom they were supposed to act.[2] Sufficient that revolution was strong enough to support these delegates, in each case, and to give them the authority of responsible agents of responsible principals.

Section II. The Powers of the Members.

Variations, more or less striking in form, from the credentials of 1774, show, in the first place, that the parties sending representatives had more clearly defined purposes than before; but, in the second place, that they had not changed their views of the nature of the central committee, which was to further define their purposes and devise corresponding plans.

The New Hampshire delegates had authority as follows:

"To represent this province in the Continental Congress . . . and that they and each of them, in the absence of the other, have full and ample power, in behalf of this province, to consent and come to all measures, which said Congress shall deem necessary, to obtain redress of American grievances."[3]

The Massachusetts Bay delegation was

"appointed and authorized to represent this colony, on the tenth of May next, or sooner if necessary, at the American Congress, . . . with full power, with the delegates from the other American colonies, to consent, agree upon, direct, and order such further

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[1] J. of C., I, 54. By a record on the same page, it appears that the "Provincial Congress of South Carolina" had previously "appointed and authorized" the same representatives.

[2] For illustration of the legal view of the question, vid. remarks of Gov. Campbell of S. C. Am. Arch., IV, II, 1044, 1618; also pp. 7, 236, 253–4, 273, 1547.

[3] J. of C., I, 50.

measures as shall to them appear to be best calculated for the recovery and establishment of American rights and liberties, and for restoring harmony between Great Britain and the colonies."[1]

The Rhode Island representatives were instructed:

"To represent the people of this colony in a general Congress of representatives, from this and the other colonies, . . . there, in behalf of this colony, to meet and join with the commissioners or delegates from the other colonies, in consulting upon proper measures to obtain a repeal of the several acts of the British parliament, for levying taxes upon his majesty's subjects in America, without their consent; and upon proper measures to establish the rights and liberties of the colonies upon a just and solid foundation, agreeable to the instructions given you by the general assembly."[2]

The Connecticut delegates were:

"Authorized and empowered to attend said Congress, in behalf of this colony, to join, consult, and advise with the delegates of the other colonies in British America, on proper measures for advancing the best good of the colonies."[3]

The New York delegates held commission:

"To represent this colony at such Congress, with full power . . . to meet the delegates from the other colonies, and to concert and determine upon such measures as shall be judged most effectual for the preservation and reëstablishment of American rights and privileges, and for the restoration of harmony between Great Britain and the colonies."[4]

The New Jersey delegation was appointed:

"To attend the Continental Congress of the colonies, . . . and report their proceedings to the next session of general assembly."[5]

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[1] J. of C., I, 51. [2] J. of C., I, 70. [3] J. of C., I, 51.
[4] J. of C., I, 52. [5] J. of C., I, 52.

The Pennsylvania representatives were:

"Appointed deputies on the part of this province to attend the general Congress, . . . and that they or any four of them do meet the said Congress accordingly, unless the present grievances of the American colonies shall, before that time, be redressed."[1]

The credentials of the Delaware delegation contained authorization:

"To represent this government at the American Congress, . . . with full power to them or any two of them, together with the delegates from the other American colonies, to concert and agree upon such further measures as shall appear to them best calculated for the accommodation of the unhappy differences between Great Britain and the colonies, on a constitutional foundation, which the house most ardently wish for, and that they report their proceedings to the next sessions of general assembly."[2]

To the Maryland delegates, authority was given:

"To represent this province in the next Continental Congress; . . . and that they, or any three or more of them, have full and ample power to consent and agree to all measures, which such Congress shall deem necessary and effectual to obtain a redress of American grievances, and this province bind themselves to execute, to the utmost of their power, all resolutions which the said Congress may adopt. And further, if the said Congress shall think necessary to adjourn, we do authorize our said delegates, to represent and act for this province, in any one Congress, to be held by virtue of such adjournment."[3]

The Virginia credentials simply certified that the persons named in them were chosen:

"To represent this colony in general Congress, to be held at the city of Philadelphia on the tenth day of May next."[4]

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[1] J. of C., I, 52. [2] J. of C., I, 52. [3] J. of C., I, 53.
[4] J. of C., I, 53.

The North Carolina representatives presented at Philadelphia certificates that they were:

"Invested with such powers as may make any acts done by them, or any of them, or consent given in behalf of this province, obligatory, in honor, upon every inhabitant thereof."[1]

The credentials given by the South Carolina Commons House of Assembly, appointed:

" . . . deputies, for and in behalf of this colony, to meet the deputies appointed, or to be appointed, on the part and in behalf of the other colonies, . . . with full power and authority to concert, agree to, and effectually prosecute such measures as, in the opinion of the said deputies, and the deputies to be assembled, shall be most likely to obtain a redress of American grievances."[2]

The credentials of the Provincial Congress to the same individuals read:

" . . . appointed and authorized to represent this colony, . . . at the American Congress, . . . with full power to concert, agree upon, direct, and order such further measures as, in the opinion of the said deputies, and the delegates of the other American colonies to be assembled, shall appear to be necessary for the recovery and establishment of American rights and liberties, and for restoring harmony between Great Britain and her colonies."[3]

Massachusetts, Maryland, North Carolina, and South Carolina use, in these credentials, expressions which, taken by themselves, might be understood to delegate more power than the Congress ever exercised. On the other hand, the instructions of Rhode Island, New Jersey, Pennsylvania, neither express nor imply any definite purpose to be guided by the

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[1] J. of C., I, 53. In this connection it is worthy of note that the Provincial Congress of N. C. voted credentials, September 2, 1775, for representatives to the Congress of September 5, or later, in which, after the words "in behalf of this province," the clause is inserted, "not inconsistent with such instructions as may be given by this Congress." Am. Arch., IV, III, 195.

[2] J. of C., I, 54.

[3] J. of C., I, 54.

decisions of the Congress. Taken as a whole, the credentials seem to create a body of counsellors, whose deliberations were likely to be so wise that the results would be accepted by the colonies in general as guides of their conduct. If Massachusetts and South Carolina intended to obey the *orders* of the Congress, they were certainly alone in expressing such intentions. If Maryland really meant to pledge compliance with all the recommendations of the Congress, there is certainly food for reflection in the fact that Maryland was the last colony of all to ratify the Articles of Confederation, and that the other states were on the point of forming a confederation without her, when she gave her consent to the proposal of Congress, more than three years after it was made, and nearly two years after all the other states had voted to accept the articles.[1]

According to the canons of interpretation observed in the case of the first Congress, it is necessary to subject these credentials to comparison with the acts of the body which the accredited persons composed. It is certain that the powers voted and attested by the documents here cited, received no increments from the journey to Philadelphia. The language of the credentials meant no more when read in Congress than when voted in the several colonies. The body which organized in Philadelphia plainly had no powers over and above the sum of the powers authorized in the twelve sets of instruc-

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[1] J. of C., II, 610–18, III, 135–6, 201, 280, 281, 283, 576, 592. In the proper place it will be shown that Maryland deserved the gratitude of Americans for stoutly maintaining her position in respect to Western lands. The above allusion has simply this bearing: Argument from the language of the Maryland credentials, that henceforth Maryland was subject to the determinations of the Continental Congress, is estopped by the recorded and famous fact that Maryland was most conspicuously independent of such determinations. This is but another illustration of the principle contended for throughout this work, viz.: the character of institutions, and the nature of relations must be discovered by examination of the institutions and relations themselves, not merely of the language which occasioned or recognized their existence.

tions. Adding together twelve authorizations to "consult and advise," could not make power to command. The Congress may use its position in one of three ways: it may, first, simply debate, reach expressions of the opinion of the majority, transmit the same to the colonies, and await their action; it may, second, resolve upon active measures, and take the first steps in carrying them into execution, depending upon the colonies to endorse its proceedings; it may, third, assume governmental control of the people of the colonies, and attempt to establish the prerogative of forcible coercion of the constituencies represented.

The first form of procedure would be in accordance with the most restricted interpretation that could possibly be placed upon the instructions; the second course would exceed the letter of some of the instructions, but it might fairly be held to correspond with the apparent intent of the greater number, and to be in violation of no express or certainly implied restriction of any; the third possible line of conduct would have only the single word "order," in the Massachusetts Bay and South Carolina resolves, as explicit authorization.

If the first possibility were found to be the actual course of Congress, that body would evidently be merely a committee of advisers, and nothing more. If the second possibility be found realized in congressional acts, the body is then a committee, not only of consultation, but of leadership. If the third possibility be the historical reality, the body which acted for the colonies was a board of government, and the twelve coöperating corporations were a commonwealth under central control, instead of twelve self-determining and self-governing communities.

We have now to examine the records to discover which of the three hypothetical possibilities was actualized.

Section III. The Organization of the Congress of 1775.

May 10, 1775, Peyton Randolph was unanimously chosen president, and Charles Thomson was, also by a unanimous

vote, appointed secretary. A door-keeper and a messenger were, at the same time, selected, and it was agreed to invite one of the city clergymen to act as temporary chaplain."[1]

May 13, Lyman Hall presented himself with credentials from the parish of St. John's, Georgia, and requested admission to the Congress.[2] He was admitted as a delegate from the parish of St. John's, "subject to such regulations as the Congress shall determine, relative to his voting."[3]

The first committee of which mention is made in the Journals, was formed May 15, "to consider what posts are necessary to be occupied in the colony of New York," and "to report as speedily as possible."[4] Congress was practically, thus far, in continual committee of the whole, "to take into consideration the state of America."[5] The differentiation of functions in committees can hardly be said to have begun earlier than June 14th.[6] Besides the committee mentioned above, another of three members, was appointed May 26th, to prepare and bring in a letter to the people of Canada;[7] another, May 27th, "to consider on ways and means to supply these colonies with ammunition and military stores;[8] another, May 29th, "to get the letter" (to Canada) "translated into the French language, . . . printed, . . . and dispersed among the inhabitants there;"[9] another "to consider the best means of establishing post for conveying letters and intelligence through this continent;"[10] and on June 3d, six committees were formed, for the following purposes:

(*a*) to consider the letter from the convention of Massachusetts, dated the 16th May, "and report what, in their opinion, is the proper advice to be given to that convention;"

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[1] J. of C., I, 50.
[2] His papers explain the situation in Ga. J. of C., I, 68.
[3] J. of C., I, 67. [4] J. of C., I, 70.
[5] J. of C., I, 67, 71, 72, 73, 74, 77, 78, 79, 80, 82, 83.
[6] J. of C., I, 83. It might be placed much later.
[7] J. of C., I, 74. [8] J. of C., I, 74. [9] J. of C., I, 76.
[10] J. of C., I, 76.

(*b*) "to draught a petition to the king;"

(*c*) "to prepare an address to the inhabitants of Great Britain;"

(*d*) "to prepare an address to the people of Ireland;"

(*e*) "to bring in the draught of a letter to the inhabitants of Jamaica;"

(*f*) "to bring in an estimate of the money to be raised."[1]

June 8, a committee was instructed to examine the papers of one Skene, a prisoner in the custody of the Philadelphia troops, and reported to be "a dangerous partizan of administration," with "authority to raise a regiment in America." It was voted:

"That the said committee be upon honor to conceal whatever of a private nature, may come to their knowledge by such examination, and that they communicate, to this Congress, what they shall discover, relative to the present dispute, between Great Britain and America."[2]

In addition to these committees, one was formed June 7, to draft a "resolution for a fast;"[3] another, June 10, to devise ways and means to introduce the manufacture of salt-petre in these colonies;"[4] another, June 14, "to prepare rules and regulations for the government of the army;"[5] another, June 16, "to draught a commission and instructions for the general;"[6] another, on the same day, "to report what steps, in their opinion, are necessary to be taken for securing and preserving the friendship of the Indian nations;"[7] another, June 19, "to prepare the form of a commission for the major-generals, also for the brigadier-generals, and other officers in the army;"[8] another, June 23, to draw up a declaration, to be published by General Washington, upon his arrival at the camp before Boston;[9] another, the same day, "to get proper

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[1] J. of C., I, 79.
[2] J. of C., I, 80.
[3] J. of C., I, 79–81.
[4] J. of C., I, 81.
[5] J. of C., I, 83.
[6] J. of C., I, 84.
[7] J. of C., I, 84.
[8] J. of C., I, 86.
[9] J. of C., I, 88.

plates engraved, to provide paper, and to agree with printers to print" the bills of credit;[1] another, June 24, "to devise ways and means to put the militia of America in a proper state for the defence of America;"[2] another, July 21, "to superintend the press, and to have the oversight and care of printing the bills of credit ordered to be struck by this Congress."[3]

With a few unimportant exceptions, the above is a full list of the congressional committees, up to the adjournment, August 1. Criticism of the functions provided for in this organization may properly be reserved until the acts performed by the Congress have been considered.

Section IV. The Acts of the Congress of 1775.

As details now begin to claim the attention of the Congress, its acts must be grouped, and only the most important representative measures particularly noticed. The business of the Congress with which this inquiry is concerned, was:

1. *To dispose of sundry applications, on behalf of individuals.* These were all, apparently, cases that arose under the non-intercourse provisions of the Association. In the case of Robert and John Murray, desiring to be restored to their former situation with respect to their commercial privileges, while the form of expression used by Congress implies that its answer was an authoritative permission, the resolve was in fact a formulation of the principle which, in the opinion of Congress, the spirit of the Association required the local committees to observe. The answer was:

"That where any person hath been or shall be adjudged by a committee, to have violated the continental association, and such offender shall satisfy the convention of the colony, where the offence was or shall be committed, or the committee of the parish of St. John's, in the colony of Georgia, if the offence be committed

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[1] J. of C., I, 88. [2] J. of C., I, 88. [3] J. of C., I, 121.

there, of his contrition for his offence, and sincere resolution to conform to the association for the future; the said convention, or committee of the parish of St. John's aforesaid, may settle the terms upon which he may be restored to the favor and forgiveness of the public, and that the terms be published."[1]

The fact that such subjects could be dealt with, under existing circumstances, by local authorities alone, and that Congress had no jurisdiction in the premises, could not have been more plainly recognized, if it had been expressly asserted.

2. *To consider requests for advice and aid to individual colonies.* May 3, 1775, the Provincial Congress of Massachusetts Bay directed to Congress a request for "direction and assistance."[2] It urges the need of a powerful army to oppose "the sanguinary zeal of the ministerial army," and to end the "inhuman ravages of mercenary troops." The petitioners add:

"We also inclose several resolves for empowering and directing our receiver-general to borrow the sum of one hundred thousand pounds, lawful money, and to issue his notes for the same; it being the only measures, which we could have recourse to, for supporting our forces, and we request your assistance in rendering our measures effectual, by giving our notes a currency throughout the continent."

The papers referred to included a series of affidavits, by eye-witnesses and participants, correcting false accounts of the affairs of Concord and Lexington;[3] and an address from the Watertown Provincial Congress of Massachusetts Bay to the inhabitants of Great Britain.[4]

On the second of June another request of similar, yet in some respects more weighty, import, was received from the

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[1] J. of C., I, 74. For other cases, vid. pp. 70 and 134.

[2] J. of C., I, 56, *sq.* [3] J. of C., I, 58–66. [4] Same, 66–7.

same Provincial Congress.[1] The resolution of Congress, in response to these requests, has furnished material for a vast deal of inconsequent argumentation. Comments upon it may be deferred till further facts have been cited. The text was as follows:

"Resolved, That no obedience being due to the act of parliament for altering the charter of Massachusetts Bay, nor to a governor, or a lieutenant-governor, who will not observe the directions of, but endeavor to subvert, that charter, the governor and lieutenant-governor of that colony are to be considered as absent, and their offices vacant; and as there is no council there, and the inconveniences, arising from the suspension of the powers of government, are intolerable, especially at a time when general Gage hath actually levied war, and is carrying on hostilities, against his majesty's peaceable and loyal subjects of that colony; that, in order to conform, as near as may be, to the spirit and substance of the charter, it be recommended to the provincial convention, to write letters to the inhabitants of the several places, which are entitled to representation in assembly, requesting them to chuse such representatives, and that the assembly, when chosen, do elect councillors; and that such assembly, or council, exercise the powers of government, until a governor, of his majesty's appointment, will consent to govern the colony according to its charter."[2]

May 13, "a petition from the county of Frederick, in Virginia, addressed to the Congress, was presented and read."[3] May 15, "the city and county of New York having, through the delegates of that province, applied to Congress for advice how to conduct themselves with regard to the troops expected

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[1] It urged the Congress "to favour them with explicit advice respecting the taking up and exercising the powers of civil government," and declared their readiness "to submit to such a general plan as the Congress may direct for the colonies, or make it their great study to establish such a form of government there, as shall not only promote their advantage, but the union and interest of all America." J. of C., I, 78.

[2] June 9, 1775. J. of C., I, 80.

[3] J. of C., I, 69.

there, the Congress took the matter into consideration,"[1] and "recommended, for the present, to the inhabitants of New York, that if the troops, which are expected, should arrive, the said colony act on the defensive, so long as may be consistent with their safety and security; that the troops be permitted to remain in the barracks, so long as they behave peaceably and quietly, but that they be not suffered to erect fortifications, or take any steps for cutting off the communication between the town and country, and that if they commit hostilities or invade private property, the inhabitants should defend themselves and their property, and repel force by force; that the warlike stores be removed from the town; that places of retreat, in case of necessity, be provided for the women and children of New York, and that a sufficient number of men be embodied, and kept in constant readiness for protecting the inhabitants from insult and injury."[2]

A single illustration of another class of applications will suffice. June 14, "a letter from the convention of New York, dated 10th instant, respecting a vessel which is stopped there, on suspicion of having on board provisions for the army and navy at Boston, was read and referred to the delegates of Massachusetts Bay, Connecticut, and New York."[3] The next day it was voted to send the following answer to the chairman of the New York convention:

"Resolved, That the thanks of this Congress be given to the convention of New York, for their vigilance in the case of capt. Coffin's vessel, and that it be recommended to them that the vessel be unloaded, and the cargo safely stored, until all just suspicions, concerning the destination of it, shall be removed."[4]

3. *To act as the mouthpiece of the patriotic party in all the colonies.* The Congress appeared in this character when, July 6, 1775, it agreed to the "Declaration by the Representatives of the United Colonies of North America, now met in Congress at Philadelphia, setting forth the causes and necessity of

[1] J. of C., I, 69. [2] J. of C., I, 70. [3] J. of C., I, 83.
[4] J. of C., I, 83.

their taking up arms." In tracing the progress of political opinion, this document must be carefully compared with the "Declaration of Rights and Privileges" by the first Congress.[1] Each of these deserves to constitute a chapter in all hand books of American history.

A few expressions in the later document should be noticed in our present inquiry. The paper declares: "Our cause is just. *Our union is perfect.*"[2]

The contention of this argument is that the idea conveyed to the people of the time by the word "union," and the fact which alone existed as the correlate of that word, must be sought in contemporary interpretations, either formal or practical. In this instance the idea is developed in the protestation:

> "With hearts fortified with these animating reflections, we most solemnly, before God and the world, declare, that, exerting the utmost energy of those powers which our beneficent Creator hath graciously bestowed upon us, the arms we have been compelled by our enemies to assume, we will, in defiance of every hazard, with unabating firmness and perseverance, employ for the preservation of our liberties, being with one mind resolved to die freemen rather than live slaves."[3]

The "union" of the time then, was the common purpose to postpone all minor interests in prosecuting this determination. The inter-colonial coöperation, which prudence dictated, in no recognized sense committed the colonies to any system of permanent relations, after the object for which they temporarily combined had been attained. "Union" was, at this period, a concept with which the notion of fixed, organic connection had not yet been joined.

4. *To serve as an organ of communication between the collective colonies and other communities or individuals.* May 29, an address to "the oppressed inhabitants of Canada" was adopted.

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[1] J. of C., I, 19. [2] J. of C., I, 103. [3] J. of C., I, 103.

In behalf of the united colonies, the Congress argued with the "friends and countrymen," "fellow-subjects," and "fellow-sufferers" of Canada, that the "fate of the Protestant and Catholic colonies" was "strongly linked together." The letter expressed condolence with the Canadians on account of their deprivation of freedom by the home government, and professed confidence that they "will not, by tamely bearing the yoke, suffer pity to be supplanted by contempt." It characterized, in terms intended to rouse the indignation of the Canadians against England, the tyranny to which, in both civil and religious matters, the people of Canada had been subjected, and the degradation which submission to such despotism involved. It renewed the assurances of friendship made by the Congress of 1774, and called upon the Canadians to join the other colonies "in the defence of our common liberty," and especially in "imploring the attention of our sovereign, to the unmerited and unparalleled oppressions of his American subjects," that he may "at length be undeceived, and forbid a licentious ministry any longer to riot in the ruins of the rights of mankind."[1]

July 8, the Congress adopted an address to the inhabitants of Great Britain.[2] It claims to be a second attempt to interest "friends, countrymen, and brethren" of England, in preventing the dissolution of ties which bind Englishmen in America with those at home. It is a strong, clear, candid presentation of facts in addition to those which had been reviewed in the first address. It demands no further remark in this connection.

The address to the King of Great Britain,[3] adopted also June 8, though remarkable for its profuse expressions of loyalty, and the conciliatory, yet dignified tone of its plea for relief, adds nothing which requires mention here.

The address to the "lord mayor, aldermen, and livery of

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[1] J. of C., I, 74–6. [2] J. of C., I, 106. [3] J. of C., I, 104.

London,"[1] contains thanks "for the virtuous and unsolicited resentment shown to the violated rights of a free people;" a declaration that "North America wishes most ardently for a lasting connection with Great Britain on terms of just and equal liberty;" and an assurance that while determined to defend themselves "like the descendants of Britons," the Americans still hope "that the mediation of wise and good citizens will prevail over despotism, and restore harmony and peace, on permanent principles, to an oppressed and divided empire." These last three addresses were, as in the similar cases of the preceding year, sent to Mr. Richard Penn, and the colony agents in London, with the request that they be immediately presented.[2]

The address to the Assembly of Jamaica is a rapid account of the reasons which compelled the colonies to include the British West India Islands in the non-intercourse agreement.[3]

The import of the address to the people of Ireland,[4] may be gathered from the opening paragraph:

"Friends and Fellow-Subjects!

"As the important contest, into which we have been driven, is now become interesting to every European state, and particularly affects the members of the British empire, we think it our duty to address you on the subject. We are desirous, as is natural to injured innocence, of possessing the good opinion of the virtuous and humane. We are peculiarly desirous of furnishing you with a true state of our motives and objects; the better to enable you to judge of our conduct with accuracy, and determine the merits of the controversy with impartiality and precision."

Near the end of the address is a sentence whose optimism is noteworthy, yet as pointed out in a similar case above, it is entirely anachronistic to interpret the language as indicative of organized nationality:

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[1] J. of C., I, 111. [2] J. of C., I, 112. [3] J. of C., I, 122.
[4] July 28, 1775. J. of C., I, 125.

"*Blessed with an indissoluble union*, with a variety of internal resources, and with a firm reliance on the justice of the Supreme Dispenser of all human events, we have no doubt of rising superior to all the machinations of evil and abandoned ministers."[1]

In the acts thus enumerated there is implied no suggestion of any change in the relations between the Congress and the colonies, since acts of like character were performed in 1774.

5. *To devise peaceful plans and measures for the general good.* Of this class the examples are very numerous. May 17, the Congress voted unanimously:

"That all exportations to Quebec, Nova Scotia, the island of St. John's, Newfoundland, Georgia, except the parish of St. John's, and to East and West Florida, immediately cease, and that no provision of any kind, or other necessaries be furnished to the British fisheries on the American coasts, until it be otherwise determined by the Congress."[2]

When it is remembered that the enforcement of such a resolution depended entirely upon the determination of the towns, counties, or colonies, according to the condition of organization in each province at the time; and that it actually was enforced by local authorities, not by the Congress; the baselessness of the claim that the Congress exerted a sovereign power in the premises, is apparent.

May 29, the colonial committees were earnestly recommended to prevent the exportation (except from Massachusetts Bay) of provisions or necessaries of any kind to the island of Nantucket. This was to shut off a source of supply for English fishermen.[3] June 1, it was voted that:

"As this Congress has nothing more in view than the defence of these colonies, *Resolved*, That no expedition or incursion ought to be undertaken or made, by any colony, or body of colonists, against or into Canada; and that this resolve be immediately transmitted to the commander of the forces at Ticonderoga."[4]

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[1] J. of C., I, 128. [2] J. of C., I, 71. [3] J. of C., I, 76.
[4] J. of C., I, 77.

June 2, it was resolved:

"That no bill of exchange, draught, or order of any officer in the army or navy,[1] their agents or contractors, be received or negotiated, or any money supplied to them by any person in America; that no provisions or necessaries of any kind be furnished or supplied to, or for the use of, the British army or navy, in the colony of Massachusetts Bay; that no vessel employed in transporting British troops to America, or from one part of North America to another, or warlike stores or provisions for said troops, be freighted or furnished with provisions or any necessaries, until further orders from this Congress."[2]

June 10, the towns and districts in the northern colonies were "recommended" to collect as much salt-petre and brimstone as possible, and send it to the provincial convention at New York.[3] The said convention was "recommended" to put the powder mills in order for the manufacture of all such materials.[4] Like action was urged upon the southern colonies.[5]

June 12, the Congress issued a proclamation, earnestly recommending to the inhabitants of the colonies the observance of Thursday, the 20th of July, "as a day of public humiliation, fasting, and prayer."[6] Whether any importance may be attached to the change or not, it is curious that the first two fast day proclamations were addressed directly to the people of the colonies; but after the Declaration of Independence the legislatures of the several states were recommended to appoint both fast and thanksgiving days.[7]

July 4, Congress resolved:

"That the two acts passed in the first session of the present parliament," for restraining the trade and commerce of the colonies, were "unconstitutional, oppressive, and cruel, and that the

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[1] British. [2] J. of C., I, 78. [3] J. of C., I, 81.
[4] J. of C., I, 81. [5] J. of C., I, 81. [6] J. of C., I, 81.
[7] J. of C., I, 576, II, 309, 469, III, 125, 229, 377, 441, 537.

commercial opposition of these colonies, to certain acts enumerated in the association of the last Congress, ought to be made against these, until they are repealed."[1]

July 12, Congress organized a systematic superintendence of Indian affairs for the colonies. Three departments were created: the northern, middle, and southern. Five commissioners were assigned to the southern, and three to each of the other two departments. The commissioners were empowered:

"To treat with the Indians in their respective departments, in the name, and on behalf of the united colonies, in order to preserve peace and friendship with the said Indians, and to prevent their taking any part in the present commotions."[2]

Congress elected the commissioners for the northern and middle departments,[3] and two of the five for the southern department.[4] The remaining three were left to the council of safety of South Carolina.[5]

July 15, Congress adopted the following preamble and resolution:

"Whereas, the government of Great Britain hath prohibited the exportation of arms and ammunition to any of the plantations, and endeavored to prevent other nations from supplying us; 'Resolved, That for the better furnishing these colonies with the necessary means of defending their rights, every vessel importing gun-powder, salt-petre, sulphur, provided they bring with the sulphur four times as much salt-petre, brass field-pieces, or good muskets fitted with bayonets, within nine months from the date of this resolution, shall be permitted to load and export the produce of these colonies, to the value of such powder and stores aforesaid, the non-exportation agreement notwithstanding; and *it is recommended to the committees of the several provinces* to inspect the military stores so imported, and to estimate a generous price for the same, according to their goodness, and permit the importer of

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[1] J. of C., I, 99. [2] J. of C., I, 113. [3] J. of C., I, 117.
[4] J. of C., I, 120–121. [5] J. of C., I, 120.

such powder and other military stores aforesaid, to export the value thereof and no more, in produce of any kind.'"[1]

One of the most timely and sagacious acts of this Congress, was the formulation, July 31, of the principles at issue between the colonies and the home government. In February of that year the English House of Commons had passed a resolve as follows:

"That when the general council and assembly, or general court of any of his majesty's provinces, or colonies in America, shall propose to make provision, according to the condition, circumstance, or situation of such province or colony, for contributing their proportion to the common defence (such proportion to be raised under the authority of the general court, or general assembly of such province or colony, and disposable by parliament) and shall engage to make provision also, for the support of the civil government, and the administration of justice in such province or colony, it will be proper, if such proposal shall be approved by his majesty, and the two houses of parliament, and for so long as such provision shall be made accordingly, to forbear in respect to such province or colony, to lay any duty, tax, or assessment, except only such duties as it may be expedient to continue to levy or impose for the regulation of commerce; the net produce of the duties last mentioned to be carried to the account of such province or colony respectively."[2]

It would be difficult to imagine a more cunning proposition of ostensible concessions by the home government. Acceptance of them by an American colony would have been tacit surrender to all the claims against which the Americans were in revolt. Some of the colonies might have been caught in the snare if there had been no common council. The Congress scarcely appears to better advantage than in furnishing the colonies a platform upon which to unite in repelling such disingenuous advances.

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[1] J. of C., I, 118.

[2] J. of C., I, 131.

The parliamentary resolution having been referred to Congress by the assemblies of New Jersey, Pennsylvania, and Virginia, a reply was adopted which exposes the subtlety of the English proposal, and furnishes one of the most statesmanlike justifications of the American demands, in the whole series of revolutionary declarations. In such work as this the service of the Congress to the colonial cause was inestimable. The proposal is pronounced "unreasonable and insidious."

"Unreasonable because, if we declare we accede to it, we declare without reservation, we will purchase the favor of parliament, not knowing at the same time at what price they will please to estimate their favor; it is insidious, because individual colonies, having bid and bidden again, till they find the avidity of the seller too great for all their powers to satisfy, are then to return into opposition, divided from their sister colonies whom the minister will have previously detached by a grant of easier terms, or by an artful procrastination of a definitive answer."[1] The opinion continues: "Upon the whole, this proposition seems to have been held up to the world, to deceive it into a belief that there was nothing in dispute between us but the mode of levying taxes; and that the parliament having now been so good as to give up this, the colonies are unreasonable if not perfectly satisfied: Whereas, in truth, our adversaries still claim a right of demanding *ad libitum*, and of taxing us themselves to the full amount of their demand, if we do not comply with it. This leaves us without anything we can call property. But, what is of more importance, and what in this proposal they keep out of sight, as if no such point was now in contest between us, they claim a right to alter our charters and establish laws, and leave us without any security for our lives or liberties."[2]

The last measure of this class which need be mentioned, was the establishment of a postal system. The exercise of power of this character has been made much of, in arguments upon the political character of the Congress. The fact that an inter-

[1] J. of C., I, 132.

[2] J. of C., I, 133.

colonial postal system grew naturally into a department of national administration, need not, however, obscure the fact that its origination was a measure rather of revolutionary than of civil policy, and that in the institution of such a service, Congress was acting in its capacity of temporary committee of safety, by virtue of authorization, the nature of which will be further illustrated as we proceed. This is evident by the content of the resolution constituting the committee on the subject:

"As the present critical situation of the colonies renders it highly necessary that ways and means should be devised for the speedy and secure conveyance of intelligence from one end of the continent to the other, Resolved, That . . . be a committee to consider the best means of establishing post for conveying letters and intelligence through this continent."[1]

The subsequent establishment of "a line of posts, under the direction of the post-master general, from Falmouth in New England, to Savannah in Georgia, with as many cross posts as he shall think fit,"[2] is thus properly classed with plans for rendering the resistance of the colonies more effective.

6. *To devise offensive and defensive measures to be urged upon the individual colonies.* Thus, in view of the British design of invading the colonies from Quebec, the capture of Ticonderoga was approved (May 18, 1775), and Congress

"earnestly recommended it to the committees of the cities and counties of New York and Albany, immediately to cause the said cannon and stores to be removed from Ticonderoga to the south end of lake George; and, if necessary, to apply to the colonies of New Hampshire, Massachusetts Bay, and Connecticut, for such an additional body of forces as will be sufficient to establish a strong post at that place, and effectually to secure said cannon and stores, or so many of them as it may be judged proper to keep there."[3]

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[1] May 29, 1775. J. of C., I, 76.
[2] July 26, 1775. J. of C., I, 124.
[3] J. of C., I, 72.

Again (May 20, 1775) it was resolved unanimously:

"That the militia of New York be armed and trained, and in constant readiness to act at a moment's warning; and that a number of men be immediately embodied and kept in that city, and so disposed of as to give protection to the inhabitants, in case any insult should be offered by the troops, that may land there, and prevent any attempts that may be made to gain possession of the city, and interrupt its intercourse with the country."[1]

It was also voted unanimously the same day:

"That it be recommended to the provincial convention at New York, to persevere the more vigorously in preparing for their defence, as it is very uncertain whether the earnest endeavors of the Congress, to accommodate the unhappy differences between Great Britain and the colonies, by conciliatory measures, will be successful."[2]

May 30, it was resolved:

"That the governor of Connecticut be *requested* immediately to send a strong reinforcement to the garrisons of Crown Point and Ticonderoga;" "that the president acquaint governor Trumbull, that it is the *desire* of Congress, that he should appoint a person, in whom he can confide, to command the forces at Crown Point and Ticonderoga;" "That the provincial convention of New York be . . . *desired* to furnish" the troops at those posts "with provisions and other necessary stores, and to take effectual care that a sufficient number of batteaus be immediately provided for the lakes;" and "that it be *recommended* to the government of Connecticut, or the general of the forces of that colony, to appoint commissaries to receive at Albany and forward the supplies of provisions, for the forces on lake Champlain, from the provincial convention of New York, and that the said convention use their utmost endeavors in facilitating and aiding the transportation thereof, from thence to where the said commissaries may direct."[3]

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[1] J. of C., I, 73. [2] J. of C., I, 73. [3] J. of C., I, 77.

Recommendations were sent to various parts of the continent urging the people to collect and send to central points all available sulphur and saltpetre.[1] The provincial convention of New York was "desired immediately to apply to governor Trumbull to order the Connecticut troops, now stationed at Greenwich, Stanford, and parts adjacent, to march towards New York."[2]

June 19, the letters from Massachusetts Bay being taken into consideration, the Congress came to the following resolve:

"That the governor of Connecticut be requested to direct all the forces raised in that colony, not employed at Ticonderoga and Crown Point, or recommended by this Congress to be marched towards New York, to be immediately sent to join the combined army before Boston; and it is earnestly recommended to the colony of Rhode Island, and to the provincial convention of New Hampshire, to send immediately to the army before Boston, such of the forces as are already embodied, towards their quotas of the troops agreed to be raised by the New England colonies."[3]

June 22, it was resolved:

"That the colony of Pennsylvania raise two more companies of riflemen, and that these, with the six before ordered to be by them raised, making eight companies, be formed into a battalion, to be commanded by such field officers, captains, and lieutenants, as shall be recommended by the assembly or convention of said colony."[4]

The next day it was resolved:

"That it be recommended to the convention of New York, that they, consulting with general Schuyler, employ in the army to be raised for the defence of America, those called Green Mountain Boys, under such officers as the said Green Mountain Boys shall chuse."[5]

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[1] J. of C., I, 81. [2] June 16. J. of C., I, 85.
[3] J. of C., I, 86. [4] J. of C., I, 87. [5] J. of C., I, 88.

June 26, the state of North Carolina being taken into consideration, the Congress came to the following resolutions:

"Whereas it is represented to this Congress, that the enemies of the liberties of America are pursuing measures to divide the good people of the colony of North Carolina, and to defeat the American association, Resolved, That it be recommended to all in that colony, who wish well to the liberties of America, to associate for the defence of American liberty, and to embody themselves as militia, under proper officers.

"Resolved, That in case the assembly or convention of that colony shall think it absolutely necessary, for the support of the American association and safety of the colony, to raise a body of forces not exceeding one thousand men, this Congress will consider them as an American army, and provide for their pay."[1]

A resolve was passed, July 1:

"That in case any agent of the ministry, shall induce the Indian tribes, or any of them, to commit actual hostilities against these colonies, or to enter into an offensive alliance with the British troops, thereupon the colonies ought to avail themselves of an alliance with such Indian nations as will enter into the same, to oppose such British troops and their Indian allies."[2]

July 18, Congress resolved:

"That it be recommended to the inhabitants of all the United English Colonies in North America, that all able bodied effective men, between sixteen and fifty years in each colony, immediately form themselves into regular companies of militia."[3]

It was voted the same day:

"That it be recommended to the assemblies or conventions in the respective colonies to provide, as soon as possible, sufficient stores of ammunition for their colonies; also that they devise proper means for furnishing with arms, such effective men as are poor and unable to furnish themselves."

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[1] J. of C., I, 89. [2] J. of C., I, 98. [3] J. of C., I, 118.

It was voted further:

"That it be recommended to each colony to appoint a committee of safety, to superintend and direct all matters necessary for the security and defence of their respective colonies, in the recess of their assemblies and conventions;" and further, "that each colony, at their own expense, make such provision by armed vessels or otherwise, as their respective assemblies, conventions, or committees of safety shall judge expedient and suitable to their circumstances and situations, for the protection of their harbors and navigation on their sea-coasts, against all unlawful invasions, attacks, and depredations, from cutters and ships of war."[1]

It was resolved, and such resolutions became very frequent in a short time:

"That it be recommended to the colonies of New Hampshire, Massachusetts Bay, Rhode Island, and Connecticut, to complete the deficiencies in the regiments belonging to their respective colonies, retained by the general in the continental army before Boston;" also "that it be recommended to the colony of Rhode Island to complete and send forward to the camp before Boston, as soon as possible, the . . . men lately voted by their general assembly."[2]

7. *To raise, organize, and regulate a continental army, and assume general direction of military affairs.* On the 14th of June, it was resolved: "That six companies of expert riflemen, be immediately raised in Pennsylvania, two in Maryland, and two in Virginia;" that each company, as soon as completed, march and join the army near Boston, to be there employed as light infantry, under the command of the chief officer of that army.[3] A scale of pay was adopted;[4] a form of enlistment was promulgated;[5] the grades of officers were

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[1] J. of C., I, 119.

[2] The identical resolution, the number of men excepted, was passed with reference to Conn. J. of C., I, 120.

[3] J. of C., I, 82. [4] J. of C., I, 82–3–4–7, 129. [5] J. of C., I, 83.

fixed upon, and the number in certain grades determined;[1] officers of the higher grades were appointed by the Congress;[2] a hospital staff was organized;[3] and elaborate rules were drawn up for the government of the army.[4] On the 15th of June Washington was unanimously "appointed to command all the continental forces raised, or to be raised, for the defence of American liberty."[5] After the form of his commission had been agreed upon, June 17, it was resolved unanimously, ". . . this Congress doth now declare, that they will maintain and assist him, and adhere to him, the said George Washington, with their lives and fortunes in the same cause."[6]

Such records as the following indicate the relation of Congress to the movements of the army:

"The Congress then resumed the consideration of affairs in the New-York department, and after some time spent therein, came to certain resolutions, which were ordered to be immediately transmitted to general Schuyler for his direction."[7]

"Resolved, That general Schuyler be empowered to dispose of and employ all the troops in the New York department, in such manner as he may think best for the protection and defence of these colonies, the tribes of Indians in friendship and amity with us, and most effectually to promote the general interest, still pursuing, if in his power, the former orders from this Congress, and subject to the future orders of the Commander in chief."[8]

"Resolved, That a body of forces, not exceeding five thousand, be kept up in the New York department, for the purpose of defending that part of America, and for securing the lakes, and protecting the frontiers from incursions or invasions."[9]

8. *To create and administer a continental revenue.* The signal for the beginning of that financial policy which afterwards

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[1] J. of C., I, 84. [2] J. of C., I, 85–6, 120. [3] J. of C., I, 124.
[4] J. of C., I, 90–98. [5] J. of C., I, 83.
[6] J. of C., I, 85. Other instructions to Washington appear under date June 20, in the Secret Journals of Cong., Vol. I, p. 17. Ed. of 1821.
[7] J. of C., I, 89. [8] July 20, 1775. J. of C., I, 120.
[9] J. of C., I., 123. July 25.

exerted so nearly a decisive influence upon the formation of permanent interstate relations, was given, June 22, in the resolution:

"That a sum not exceeding two million of Spanish milled dollars be emitted by the Congress in bills of credit, for the defence of America."[1]

On the 29th of July, it was voted:

"That each colony provide ways and means to sink its proportion of the bills ordered to be emitted by this Congress, in such manner as may be most effectual and best adapted to the condition, circumstances and equal mode of levying taxes in such colony."

"That the proportion or quota of each colony be determined according to the number of inhabitants, of all ages, including negroes and mulattoes in each colony."[2]

"That each colony pay its respective quota in four equal annual payments,"[3] and that for this end, the several provincial assemblies, or conventions, provide for laying and levying taxes in their respective provinces or colonies, towards sinking the continental bills; that the said bills be received by the collectors in payment of such taxes, &c."[4]

The same day (July 29) it was resolved:

"That Michael Hillegas, and George Clymer, esqrs., be joint treasurers of the United Colonies; that the treasurers reside in Philadelphia, and that they shall give bond, with surety, for the faithful performance of their office, in the sum of one hundred thousand dollars."

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[1] J. of C., I, 87–8.

[2] An arbitrary apportionment was made to guide until a census could be taken. J. of C., I, 130. In a later section the acts of the separate colonies in making this paper legal tender, providing penalties for counterfeiting, &c., will be cited in exposure of the fallacy of the claim that the Congress was here exercising "one of the highest acts of sovereignty."

[3] *I. e.* in terms ending Nov., 1779, 1780, 1781, and 1782. J. of C., I, 130.

[4] The resolutions of the provincial Congress of New York (May 30, 1775), on the subject of continental revenues, should be compared at this point. Am. Arch., IV, II, 1254, 1262.

"That the provincial assemblies or conventions do each choose a treasurer for their respective colonies, and take sufficient security for the faithful performance of the trust."[1]

In illustration of the manner and purpose of disbursements, at this time, the votes of the last day of the session may be cited:

"Resolved, That the sum of five hundred thousand dollars, be immediately forwarded from the continental treasury, to the paymaster general, to be applied to the use of the army in Massachusetts-Bay, in such manner, as general Washington, or the commander in chief for the time being, by his warrants, shall limit and appoint; and if the above sum shall be expended before the next meeting of the Congress, then that general Washington, or the commander in chief for the time being, be empowered to draw upon the continental treasury, for the sum of two hundred thousand dollars, in favor of the paymaster general, to be applied for the use and in the manner above mentioned."[2]

A similar appropriation was made for the use of General Schuyler in the New-York department.[3] It was also voted:

"That a sum not exceeding one hundred and seventy-five thousand dollars be paid to the provincial convention of New-York, to be applied towards the discharge of the moneys advanced and the debts contracted for the public service, by the said provincial convention and the committee of Albany, in pursuance of the directions of this Congress; and that the said provincial convention account to this Congress, at their next meeting, for the application of the said money."[4]

A resolution of the same nature was passed in favor of the colony of Connecticut.[5] It was further resolved:

"That the sum of sixteen thousand dollars be paid to the delegates of the colony of Pennsylvania, in full for the like sum by them borrowed by order of the Congress, on the 3d of June last,

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[1] J. of C., I, 130. [2] J. of C., I, 134. [3] J. of C., I, 135.
[4] J. of C., I, 134. [5] J. of C., I, 135.

for the use of the continent;"[1] and "That the sum of ten thousand dollars be placed in the hands of the delegates of Pennsylvania, or any three of them, for contingent services, and that out of the same, be paid the expenses incurred for raising and arming the rifle companies, and for expresses and other small charges, of which the Congress have not been able to procure exact accounts; and that the said committee do lay before the Congress, at their next meeting, an account of their proceedings in that matter."[2]

Section V. Conclusions.

This review justifies the following conclusions upon the questions raised at the end of the last section. The Congress of 1775 was not content with mere expression of opinions. It took a large view of its powers. It realized that its efficiency depended wholly upon the acceptance of its acts by the principals of the different delegations; but, following its judgment as to what the patriotism of the colonies would approve and sustain, it initiated action of various kinds, which, from the beginning, assumed the certainty of adoption by the colonies, and derived all its energy from the probability of such ratification. The Congress doubtless exceeded the letter of the instructions received by a portion of its members; but this was not from any misconception of those instructions, nor from any uncertainty about the essentially advisory character even of those of its proceedings which appeared most peremptory. In pointing out to the colonies the direction which their preparations for resistance ought to take, the Congress no more acted upon an imagined authority to *command* the colonies, than does the lookout at the bow of the ship, when he reports the direction of danger to the officer of the deck. The Congress unquestionably enjoyed a prestige at this juncture, which it subsequently lost. The people, and even the provincial conventions, occasionally addressed it in a tone which indicated that they unconsciously attributed to it power which it plainly did not possess.

[1] J. of C., I, 135.

[2] J. of C., I, 135.

It would be easy to collate a long array of expressions from the votes of the Congress, which show that its language was influenced, to a certain extent, towards the assumption of an importance inconsistent with its real power. Nothing could be more natural, inasmuch as, under the circumstances, whatever the Congress decided or recommended the colonies were almost sure to adopt. The prestige of such influence could hardly fail to mould advice sometimes into the semblance of requirement. I am unable to find a single evidence, however, that the members ever entertained a doubt about their actual subordination to the colonial assemblies which they represented.

As the provincial congresses grew more accustomed to their position, and as intercourse with the Continental Congress exhibited the limitations of the latter in a thousand examples, all parties began to understand the precise character of the continental body, and its relation to the States. Resistance would be impotent unless it was concerted.[1] The Congress was the only possible medium of coördination and combination. It was the clearing-house of colonial news and opinion. The situation, resources, temper, strength and weakness of the protesting communities could nowhere be so advantageously considered; nor could the disposition of their available means of defence be so prudently made from any other position. In adopting recommendations that came from such vantage ground, the colonies were sure of directing their operations by the utmost strategic and economic wisdom.

Or again, the Congress was the central office of a coöperative political signal service. Its bulletins were enacted into rules by the colonial assemblies, not because they were recognized as statutes, but because they were accepted as the most accurate readings of the signs of the times. The storm, to be averted if possible, or to be breasted if necessary, was just breaking upon different sections of the country. The Congress could

[1] This idea was well expressed in resolutions of citizens of Savannah, June 13, 1775. Am. Arch., IV, II, 1544.

best calculate its course and its character, and could best suggest precautions and expedients.

The Congress was a sagacious committee of safety. It knew the minds of the people it acted for. It knew the occasions for action. It knew the possibilities of action. It knew what demands could be made and it made them ; not as a legislative chamber would make them, but as popular leaders, who had the ear of the colonial assemblies. Its calls for the mobilization of the militia were enforced by the fact that there was work for the militia to do, and by the assurance involved in the calls that the colonies would collectively assume the responsibility incurred by any individual colony in undertaking the work. Its creation of a continental army was a sensible "straight cut" to the association of forces, implying nothing whatever about permanent relations of Congress to colonies.[1] It was made possible simply by the expressed or tacit assent of each colony to the temporary omission of formalities taken for granted in the whole proceeding. Its issuance of bills of credit was banking upon the public spirit of the colonial corporations. As agents holding indefinite powers of attorney, the delegates pledged the credit of their principals. All the power they had for such a purpose had been created in the colonies, and by the colonies, and could be authoritatively interpreted and actually exerted only by the parties giving it. The pledge of the credit of a colony by its delegation was not the source of the colony's obligation, but the colony entered into an obligation by authorizing or endorsing its delegates' pledge. In a word, the Congress of 1775 did no act by any power other than that which the separate corporations repre-

[1] I mean by this that the colonists did not consciously commit themselves to any form of organization, or to any permanent relationship of an organized interstate character, by allowing the Congress thus to act for the whole. A philosophical view of their experience discovers in the very naturalness of such an arrangement the foreshadowing of a permanent organ of similar action. The people had not, however, willed the establishment of the future order.

sented individually contributed. It was a Congress of deputies, not of legislators. Its executive operations were vicarious, not functional. It performed no single act which did not derive viability from sustentation by the local powers. Its history forms a record of localism rising superior to itself, to meet the demands of a crisis. That imagination runs riot which turns this magnificent effort into the definitive abdication of localism. The last time the proposal of centralization was formally broached, it was rejected.[1] Not constitution building but constitution saving was the object now. The colonies combined not to substitute one dependence for another, but to make their relation to England one of independence.[2] In the freedom of that further actual independence which English policy had made the only alternative with submission, the colonial corporations created a medium of common offence and defence in which localism did not expire, but in which localism displayed its maximum possibilities for resistance and aggression.

These conclusions will be confirmed by considering the same set of relations from the opposite point of view.

Section VI. The Corresponding Acts of the Colonies.

The people of the several colonies were meanwhile adopting temporary organizations for the control of their corporate affairs. These organizations, or their successors, inherited or usurped all the prerogatives which had belonged to the charter organizations. The people gradually recognized them as the organs of popular rights of self-government, sanctioned therefore by a law superior to that of the constitution. The people did not at first have definite and unanimous opinions about the

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[1] Albany Congress of 1754.

[2] *I. e.* in the sense in which the word was used in the earliest discussions; independence of unconstitutional parliamentary or ministerial dictation. Vid. Am. Arch., IV, II, 1548–9; and same, 21.

respective spheres of town, county and colonial authorities; but it is true in general that, wherever such a change in form was necessary, the provincial congress assumed the executive and legislative position from which the governor and the charter legislature were displaced. The fact to be placed over against the description of the general Congress is that the people of the separate colonies acquiesced in the assumption and exercise, by their provincial assemblies, of every essential power of government. The evidence of this is next in order. Its importance in the argument will appear at a later stage of the investigation.[1]

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[1] The evidence which I have arranged chronologically on this point, in the case of each of the thirteen colonies in turn, justifies certain generalizations irreconcilable with the traditional views of inter-colonial relations at this period. It establishes the fact that *the colonial authorities looked to the Continental Congress not for sanctions, in the legal sense, but for signs.* The evidence to this effect becomes more and more decisive as we approach July, 1776.

At the end of the next chapter this body of evidence will be discussed as a whole; *first,* in its bearing upon the conclusion just indicated; *second,* with reference to its bearing upon the constitutional significance of the Declaration of Independence. The details to be placed in evidence, with respect to the independent action of the individual colonies, are so numerous that the argument must be interrupted at this point, to be resumed in a future number of the Studies.

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THE NEEDS OF SELF-SUPPORTING WOMEN.*

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Within a generation the heroic working girl has been transformed in character. Emerging from a simple life with few wants to a complex and artificial existence, the burden of social disadvantage weighs upon her, and she becomes more alive to her importance as a social power. She refuses to starve; she will strike, she will sin. As Gunton points out in *Wealth and Progress*, wider opportunities for the masses must precede the formation of higher social desires and character. Shorter hours of labor, signifying more leisure and less exhaustion of the faculties, would soon create new wants, establish better habits, incite to friendly intercourse, to reading, travel, all those intellectual enjoyments which are the measure of civilization. Wherever man's social opportunities have been most limited, industrial and political progress has been slowest. Wherever women and children are condemned to excessive toil, wherever "the fatal industrial policy prevails of sacrificing human lives to produce and accumulate wealth, instead of the broad and humane policy of using wealth to save and improve human lives," there the homes are always most miserable, there reign illiteracy, pauperism and vice. Each reduction in the hours of work, from sixteen to fourteen, from fourteen to twelve, from twelve to ten, has occasioned immediate and enormous improvement in the condition of the laboring classes. Shorter hours tend not only to provide occupation for millions of unemployed, but they will stimulate production and widen our markets by multiplying wants; they will make education possible, and conduce to a higher social and moral development in the home.

To all earnest minds interested in economic and ethical problems, the absorbing question is how to give our toiling sisters wider opportunities for self-development? Why, despite the good which

*Read at W. C. A. International Conference, Baltimore.

the Women's Christian Associations and kindred societies accomplish, do they often fail to benefit the most needy and meritorious? Evidently one stumbling block in the way of usefulness is the *de haut en bas* tone which pervades all efforts at conciliation and help. We meet our industrial friends in a false spirit. The "lady," however conscientious and charitable, who at the working-girls' club scorns to treat shop women and seamstresses as equals, proclaims by her manner as well as by her words: "God made the lower classes different and they are different; why tell them otherwise?" Until these flaunting airs of superiority, this latent phariseeism and aggressive patronage are exterminated, the trials and sufferings of our self-supporting women will never be laid bare, and practical relief will never be administered.

The wants of the ordinary female worker must be comprehended within the narrow average of $5 a week for food, raiment, and the satisfaction of the intellectual and spiritual nature. To some of us who know the personal sacrifices and resolute self-denials of these noble, humble lives, it seems almost mockery to preach, from the stand-point of our ampler incomes and habitual self-indulgence, the wisdom of small economies and more ideal desires. Yet nobler wants may be created in the breast of the roughest, most untaught creature, and along with these wants, greater efficiency may be gained for the first essential with every toiler—self-maintenance. For, until she is equipped with self-supporting arts, the higher nature is in abeyance. Until her home is neat, wholesome and well-ordered, it is useless to expect any lasting elevation of character or morals. The best stitcher, the best type-writer ought also to be shown how to become the thriftiest housekeeper, most helpful wife and wisest mother.

Patient observers who have watched the life of the laboring classes and studied their needs, emphatically urge industrial training in schools, clubs, guilds and societies, as one remedy nearest at hand for social ills.

Encourage the working-girl to cut and make her own dresses and relieve her overburdened parent. By practical examples, teach upholstery, bed-making, laundrying, house-cleaning, nursing the sick, the care of sleeping apartments. Fit up lecture and class-rooms as a model tenement, and give amusing, instructive demonstrations in economizing space, utilizing window seats and

lounges for clothes-presses, ventilating rooms, setting tables and turning simple decorations to effective account. Adopt a baby—nothing would delight young girls so much. Show them how to sew its little garments, to arrange its cradle, to feed and tend it, above all, how to leave it sometimes in repose. Thus would be saved the precious lives of thousands of the future offspring of our industrial community. Instruct the novices in housekeeping how to buy and to market. Make them understand that wastefulness in the home is as reprehensible as drunkenness, and that to throw away money on bad material and short weight is as sinful as to burn greenbacks in the stove. Let a new gospel obtain. Instead of loving their neighbors as themselves and gadding too much, they must love the family as themselves and help father, sister and brother. Impress upon the toilers that with our sex rests the responsibility for unhappy homes. Aid self-supporting women to re-create their households, to do away with the filth and misery which beget those morbid physical conditions that only alcoholic poisons can appease. Induce the mothers to choose poor living with longer schooling for the girls and boys, instead of comforts bought with the unhallowed earnings of overworked and ruined little ones, and thus abate the parent's sinful share in the fearful abuse of child labor. In fact, all educational effort for workers should aim at practical training and enlarged opportunities, social, intellectual and moral.

The Women's Christian Associations represent the most powerful and progressive religious sentiment bent on good works and the broadest usefulness. Sentiment, however, is not always backed by knowledge of actual conditions. A minister of the gospel, prominent in foreign missions, stoutly denied that white women are ever employed in tobacco factories, when in his own city a stone's throw from his home hundreds of females of the Anglo-Saxon race delved at the weed amid the most degrading surroundings. True understanding of the real situation must precede all successful reforms. The influence of the Women's Christian Associations, based on intelligent inquiry and thrown upon the side of industrial tuition, shorter hours of work, better factory laws and stricter inspection, the abolition of child labor, greater advantages for female workers, would bring to bear upon the burdens of our drudging sisters all the enginery of church aid and

the prodigious momentum of social enthusiasm. Yet few New York philanthropists realize the appalling problems of tenement house crowding and foreign inundation. Not many have ever walked among the Italians in the Mulberry Street bend, or visited the Russians and Armenians in the great Mott Street flat, or beheld the Jew's refuse market in Hester Street, on a Friday afternoon. How often do even the charitably disposed cross the thresholds of the poorest, sit on greasy chairs or vermin-infested lounges and watch the barefooted, perspiring mother drag her baby about on one arm while she cooks and washes with the other? Who has seen, what everywhere exists, overworked parents with their ten children, all under 16 years of age, begrimed and foul-bodied, in a steaming kitchen that looks like a receptacle for garbage, eating their supper of bread, tea, and cold boiled cabbage? How difficult to enter into the motives or desires of the pretty girl who never breathes any other air than that laden with odors of frying fat and vile tobacco, nor knows other surroundings than endless toil and pinching poverty, except the deadly diversions of the street! If she escapes the pitfalls to which these diversions lead, and fortunately marries, she too, unless practical benevolence interpose, will live in filth as her mother lives. She will eat unwholesome food because unable to cook, and buy tainted meat or rancid butter. She will be cheated in her shoes, her flannels, her furniture, and tricked by insurance or installment agents out of all her savings. Unhandy with her needle, she will clothe the nakedness of her baby with piano covers or disused tidies, instead of warm and suitable garments. Ignorant of the care of infancy, she will drench the little one with baths till pneumonia ensues, and, having killed it perhaps by violating all sanitary laws, will, in order to pay the undertaker, break down her own health by toiling in the mill while also doing her housework, till exhausted nature takes revenge, and the pauper hospital receives another victim.

The minutest instruction, the personal example of wiser women alone can bring about radical change in the methods of untaught girls or mothers. Not many members of charitable associations, however, with absorbing home duties, committees and visiting list, can cope with the tremendous crises occurring in the every day industrial life of the subjects of their care. Their

wealth nevertheless will command the services and enlist for the cause the heart, soul and brain of clear-headed, earnest officials. With a tact which is nothing more than common sense sanctified, such appointees would devote all their energies to the needs of workers. Not amateurs any longer, but professionals are required to take these important interests out of the realm of mere sentiment and philanthropy into that of the economic and practical. The magnificent executive corps whom the "silent partners" have placed at the head of these great benevolent enterprises in the largest cities, deal with the tragedies, with the inexperienced, the disappointed, the imperiled, better than any mere periodical visitor, however willing, however kind. Particularly in outlying districts where modern scientific methods of managing charities and reforms have not penetrated, specialists are indispensable. One does not call in a plumber to tie up an artery, or a butcher to model one's bust.

Immediate improvement and extension of the homes supported by the Christian Associations, must answer the objection of gratuitous critics, that superior accommodations at cheap rates encourage low wages, entice young women from the country and react for evil on the large body of toilers unable to share such bounty. The charges of opponents hold good wherever sympathy and generosity surround these boarding homes with comforts which the hard cash of the inmates could not buy. False standards are thus created and the beneficiaries are so demoralized that in every relation of life they expect to get more than they give. To abolish the useful homes, however, while inflicting hardship on the deserving woman who seeks their roof less for cheap board than for respectability, would neither raise wages nor tie the country girl to the worn-out farm. Retain the boarding homes, but make them go to the root of the workers' need. They must be multiplied, cheapened, located in quarters teeming with homeless girls. Have them plain enough and big enough and cordial enough for the tobacco stripper, the lint-covered cotton operative, the underpaid sewing drudge starving in a garret while the slop shops fatten on her life blood.

If the headquarters of the Christian Associations were established among the tenement boarding places and should feed and house as cheaply, fewer young women with illegitimate children

would be found, seeking to palliate their fall by the oft-repeated lamentation: "I had no mother and no home and knocked about from one boarding house to another." In the seething industrial centres, in the tenements themselves, there should be little unobtrusive homes to allure the poorest and lead them through neatness, order and purer standards to a higher life. Where foreign immigration flows fastest is there most call for respectable supervision and protection. Although the virtue of young maidens may be unaffected by the horrors of a brief steerage passage, will it resist the continued pressure of low wages reinforced by immoral lodgings where, besides the large family, from twelve to twenty men and women sleep indiscriminately on the floor of two rooms ten feet square?

Some self-supporting girls have inaugurated a great reform which it would be possible to operate for the benefit of thousands. Five newly-landed Irish flax mill operatives club together, hire a tenement, furnish it plainly in common, and, while one keeps house, four work in the factory. They share all expenses, plan, economize, save, and in their warm bed-rooms and humble little parlor, get not only real domestic life unshadowed by the eclipsing "institution," but a splendid education in adaptiveness, versatility and self-control.

Scores of young women are already solving thus the domestic problem, which for them is also complicated by sharpest want. Might not Christian Associations besides multiplying, cheapening and brightening the boarding homes, engage in the noble enterprise in every industrial centre of helping mill employés, cigar makers, clerks, teachers, all the friendless and solitary, to found small co-operative households? The inmates would group according to convenience, occupation or congeniality, one of the participants being maintained as supervisor, or some suitable head being found among the hundreds of genteel unemployed everywhere clamoring for work. Colonize thus in the lowliest tenement ten girls who can pay but two dollars a week, yet would like to "have a say" about their food and the outlay of their funds. They would feel that what physical comfort they could get by good judgment and close management out of twenty dollars a week would be theirs, and not an iota more. By a sense of responsibility the young housekeepers would be stimulated to

realize that the abode is their own, their castle, their haven, where they are not fleeced by a landlady, nor disciplined by a committee, but are themselves the architects of its well-being. The attributes of domesticity and the highest elements of independence and moral accountability would thus be developed.

Grade such co-operative colonies by the resources of the projectors. Let the inmates vote who shall be received and how their home-life shall be conducted. The great benevolent organizations should bestow upon these undertakings the benefit of their superior opportunities with landlords for securing cheap and sanitary quarters. Each little settlement might be kept under the oversight of one member of the Associations or official staff, to whom the occupants could appeal when in trouble. With the countenance of such advisers the girls should see their young men friends on Sunday. If denied this privilege on their only leisure day, how tempting and how perilously easy it is for them to go to the rooms of their male acquaintances under disreputable auspices. Sympathy with youth and youth's indiscretions and yearnings would naturally avoid hide-bound regulations and foster individuality, while broad catholicity respects religious prejudices and shelters the worthy however diverse their creeds.

Not alone the poorest demand help and a broader field. Well-to-do working women with good homes, of whom all our large cities boast an increasingly numerous and prosperous element, need uplifting from the deadening automatic routine, or the depressing influences of sordid authority, frivolous companionship, inane gossip and jests and petty jealousies. The utter poverty of resources, the shy, awkward unresponsiveness of the home-staying must be combated by wisely selected recreations and heathful activities. Around the hearthstone the best girls are often the dullest and saddest, burdens to themselves, useless to the family, incapable of interesting the children or brightening the home-coming of the father, their ideas petrified at the source. To these, priceless would be the increased social opportunities that guilds, societies and clubs can afford—change of scene, wider acquaintance, lectures, games, question clubs, collections of flowers, insects and stones, wonders of natural life—all the pretty information which filters through the fortunate high school student to the uneducated parents and juveniles, but which the fireside of the worker never enjoys.

The rough, the ignorant, the unhappy and lonely, who under genial influences would flower into gentle and beautiful womanhood, too often elude the present methods of Christian Associations, There is in science no classification of man into lower and higher orders. Without meaning to be autocratic or carping, it behooves me to say as the messenger of nearly 12,000 self-supporting girls whom I have personally interviewed, that the most deserving are barred out by the class distinctions which mark almost every phase of philanthrophy. In shops and factories the needy cases are well known. The forewomen reach them, the companions in toil know the dilapidated dwelling to which little comforts often find their way, and even money, saved from the meagre earnings of unselfish friendship. Were prominent young women in the tobacco, underwear and box factories, the mills and rope walks of great cities, members of charitable associations, entitled to dispense their privileges, not mere subjects for experiment, they could point out many a lonely sufferer, bring many outcasts into the fold, besides greatly enlarging their own sphere of usefulness. But we are wont to seek even the stoically reticent, the heroic, the martyred as patron to beneficiary, as proud to the humble, as rich to the lowly, not as friend to friend. So long as Christian work keeps up the hollow mockery of the "lady" succoring the working woman, so long will the working woman resent or hold aloof from such beneficence, so long will reforms languish.

In the industrial centres as well as in the handsome streets, rooms should be open for the social intercourse and physical and mental refreshment of the laborer's household. If first made comfortable, then one is more easily made good. Beguile there the children, the girls, above all, the overburdened mothers. Work upon the family as a unit, instead of alienating the daughter from her home. Strengthen domestic ties, weld natural relationship. Talk more about ethics sometimes, even if less about religion. To interest mothers and daughters concerning the care of infancy, the discipline of children would check the reprehensible indulgence that often riots in the homes of the poor. Around many firesides, it is true, hover marvellous patience, almost angelic self-forgetfulness, shaming the best tempered women of leisure whose petty annoyances dwindle beside the wearing trials of the house-mother who is drudge, seamstress, nurse, pack-horse, from

5 a. m. till 11 p. m., yet kisses her fifteenth baby with all the passion of first maternity. Often, however, the gravest offenses go unpunished, or trifling faults incur a volley of vituperation. The object most commonly seen in my rounds was a heavy leathern strap, three inches broad, cut at one end into ribbons, the more effectually to sting. Children, big and little, are beaten by their parents with this unholy implement, and wee sisters of ten and eleven left in charge of infants and toddlers ply it vigorously on each offender. This is a type of the low civilization with which modern philanthropy must deal.

In every manufacturing town, North, West and South, thoughtful and educated women, as missionaries and practical teachers, have a more useful field than the valley of the Ganges or the Yang-tse-Kiang. The neglected cotton operatives of my own State, Georgia, the tobacco workers, shirt and overall makers, and mill employés of many magnificent cities need deliverance from ignorance and preventable misery no more imperiously than the unhappy dwellers in the numerous wretched tenements which in the most flourishing New England towns flank the public libraries and the grand and spacious schools.

In Fall River are 58 enormous mills, more than 20,000 operatives, nearly 12,000 of whom are females, a tenement system notoriously bad, thousands of solitary young women, and no Women's Christian Association, nor any boarding home under distinctly educating or uplifting auspices. In Nashua, Manchester and Dover, New Hampshire, Biddeford, Lewiston and Augusta, Maine, while the mill corporations provide as far as possible excellent dwellings and boarding accommodations, yet one half the employés live in tenements which, except as to greater space and better light, are as filthy and dilapidated as the worst habitations of New York. Not only are the Poles, Bohemians, Russians, Irish, and French Canadians often illiterate and forlorn, but in many States some of our sisters of native American descent are almost in barbarism. The sin of leaving our fellow beings in unsanitary, fever-breeding homes, huddling in degrading crowds, in mental darkness and moral irresponsibility and vice, is one which each intelligent, earnest woman must bring home to herself and answer for to her own conscience. Rescue the children, at least; ward off from future generations an inherited curse. Clear

our cities and manufacturing towns of the tenement plague spots, by a personal crusade against their hideous influences. Elevate their inmates by personal visits, personal help, the ministry of the hand, palm to palm, as woman to woman, not as patron to beneficiary. Prove the truth of Tolstoi's words, that in order to do a man good, one must be on friendly terms with him.

Nor must effort cease when through religious conviction or fellowship in high ideals our working sisters are first uplifted. The real needs just formulate themselves as the new life begins. The girl who could not read does not by a change of heart learn all the mysteries of erudition. As a Christian woman with a future before her, more than ever does she require to spell or write or cipher better, to be taught the amenities of a politer sphere. The work she could do as a worldling may be now forbidden by her conscience, and she must be helped to a higher individuality. When she turns from the worn and easy path of ignorance, frivolity and self-indulgence to the discipline of new purposes, this is her hour of greatest peril—the hour in which she pleads, inarticulately but earnestly and eloquently, not to be set adrift in the frail strength of untried resolutions, but to be given the higher education, the better industrial, social and moral opportunities that alone can meet all the needs of self-supporting women.

January, 1890.

III

LOCAL GOVERNMENT

IN

WISCONSIN

JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE

HERBERT B. ADAMS, Editor.

History is past Politics and Politics present History — *Freeman.*

EIGHTH SERIES

III

LOCAL GOVERNMENT

IN

WISCONSIN

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LOCAL GOVERNMENT IN WISCONSIN.

The three general types of local government in the United States, the town, the county and the mixed system, represented respectively by New England, Virginia and New York, have contended for the mastery on the soil of Wisconsin. It is the special aim of this sketch to set forth only what had a direct bearing on this struggle, passing by, also, those features of the town or the district, such as the courts and the administration of justice, in which Wisconsin, from the present point of view, offers nothing peculiar.

The present Wisconsin was a part of Illinois Territory. Owing partly to the original claim of Virginia to the region which became the State of Illinois, a claim strengthened by the conquests of George Rogers Clark in 1778, and partly to the geographical relations of Virginia, Kentucky and Illinois, the population of Illinois in 1818, confined to the northern half of the State, was mainly of Southern origin; and Southern influences controlled all political affairs and moulded the institutions. Thus the local institutions of the South were left as a heritage to Wisconsin, in common with Michigan, when severed from Illinois. In 1818 a law of Michigan Territory made it the duty of the governor to appoint for each county three commissioners, with the usual power over local matters. The confirmation of this system in a Territory whose inhabitants were then mostly of Northern birth, was probably due to the sparse settlement, which would have made the town organization impracticable. This law remained in force until 1827; but it was

provided in 1825, that the commissioners should be elected by the people of the county.

In that portion of the Territory west of Lake Michigan, however, the act of 1818 had little effect for several years. Green Bay, which in 1824 had only about six hundred inhabitants, and Prairie du Chien, with an even smaller population, were the only settlements in the State.[1] At the former settlement there were justices of the peace; but their jurisdiction, besides being, as a matter of course, limited in extent, was very irregular in exercise; and military rule prevailed till 1824. In that year regular terms of a new court established by law of Congress the year before were held at Prairie du Chien and Green Bay by Judge James D. Doty. And thereafter the civil power bore complete sway.

At Prairie du Chien a civil jurisdiction above the competence of a justice of the peace seems to have been established a little earlier than at Green Bay.[3] But there, too, the government was essentially military until 1822.[4] In that year the *borough* of Prairie du Chien was incorporated. There were to be elected a warden and two burgesses, corresponding to the president and trustees of our villages. The organization and powers of Prairie du Chien "borough" were essentially the same as those of villages in Wisconsin and other States. With the exception of Green Bay, incorporated in 1838, this is the only instance of the use of the term "borough" in Wisconsin. These early laws were copied from the codes of Eastern States, and the one for the incorporation of Prairie du Chien was taken from the statutes of Connecticut

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[1] Except a very small one at La Pointe, which, for the present purpose, may be left out of account.

[2] For some account of rude frontier justice and an idea of the kind of government west of Lake Michigan prior to 1825, see, besides the references in the note below, *Wisconsin Historical Collections*, I, 59–61; II, 87–90, 105–7, 120–2, 126; III, 248–9; IV, 165–6.

[3] See especially *Wis. Hist. Coll.*, II, 115.

[4] Instances of arbitrary and oppressive acts on the part of the officers of the posts may be found in *Wis. Hist. Coll.*, II, 84–6, 128–9, 229–30, 250.

and Ohio. Pennsylvania, New Jersey and Connecticut are the only States that have "boroughs." And the name as applied here, doubtless came from the Connecticut laws. "The borough," says the annalist of Prairie du Chien, "passed and repealed by-laws for about three years and stopped business in 1825."

It was the influence of Governor Cass, who, born and bred in New Hampshire, was thoroughly imbued with New England ideas of local government, that led Congress in 1827 to establish the New York system in Michigan Territory. The county commissioner system was abolished, and towns were organized. Each town was to elect one supervisor, and the supervisors from all the towns in the county were collectively to form a county board. The towns had the more important business, *e. g.*, control of highways, management of poor-houses, supervision of schools; but town accounts were audited and allowed by the county board.

As far as the present territory of Wisconsin is concerned, this law is of little account. The towns of Green Bay and St. Anthony, which included respectively the villages of Green Bay and Prairie du Chien, were then the only settled portions of Wisconsin, and hence the only parts having regular civil government. These towns were specially excepted from this law of 1827, and given a special organization better suited to the scant population. In each were to be elected three supervisors, who were to perform the duties of both town and county supervisors. This was virtually the old system. There appear to have been no towns organized in the present Wisconsin, under this law.

Many acts relating to the county, town and school district may be found on the Michigan Territory statute books from 1827 to 1835.[1] But these had little operation in the unsettled

[1] It is worthy of note that there was some confusion in the use of the terms "town" and "township" in these and after years, the latter term being sometimes used to designate the civil sub-division. See page 15 of the present sketch for a quite recent instance of confusion of these words on the part of our law-makers.

and undeveloped country west of the lake, and such changes as were made in the distribution of powers between county and town were very slight. It was not until after the organization of Wisconsin Territory in 1836 that any important alteration took place. The discovery of lead in southwestern Wisconsin in 1827, brought a large immigration, chiefly from Southern States, into that region during the next decade. Thus, in the new territory, the Southern people of the lead region formed the majority, and in 1837 established the system of county commissioners. This shows the strong sympathies of southwestern Wisconsin with Southern institutions.

In 1836 was passed a general law of village incorporation, and in 1838 towns were organized for judicial and police purposes, and given some minor power in regard to roads.

The statute books of the first years of the Territory show numerous instances of direct control of local affairs through special acts of the legislature. Thus counties were authorized to build bridges and levy taxes therefor, to borrow money, set off towns, sell lands, open roads, etc. So also towns were empowered to borrow money and school districts to levy taxes. But by the law of 1841, presently to be described, this interference with local concerns was largely prevented by the enactment of general regulations. The more extensive and complex the local business the greater becomes the evil and in fact the impracticability of special legislation.

The Black Hawk expedition of 1832 had reported a rich farming region on the western shore of Lake Michigan. The land was purchased from the Indians, and an immense immigration immediately took place from New England and New York. This new element soon overbalanced the population of the lead region. A demand arose for the restoration of the more democratic form of local government, and in 1841 Northern influences and ideas once more triumphed.[1] Numerous

[1] "An act to provide for the government of the several towns in the Territory and for the revision of county government" (1841).

petitions for the change had been presented to the legislature, chiefly from citizens of the eastern counties, while petitions on the other side came from the lead region. In some localities the results of the county commissioner system had caused considerable dissatisfaction. Newspaper editorials denounced the existing system as "anti-democratic," and as causing "heavy taxes and unequal and improper assessments." "Each town," said *The Milwaukee Sentinel* of September 8, 1840, "is most competent to judge of its own wants and regulate its own affairs, and if left to itself would better secure the interests of its inhabitants than a more remote, expensive, and to them, in a measure, irresponsible body." These extracts sum up the chief grounds on which the county-commissioner plan was opposed. In some localities also, as in Washington county, the requirements of the increasing population burdened the three commissioners with an excessive amount of work in regard to roads, schools, valuation, and levy of taxes. A larger body became necessary to cope with the growth of local business. The continued attachment of the people of the lead region to the existing system was doubtless due solely to their Southern proclivities.

The new law provided that the people of each county might vote "for" or "against" county government. The vote was taken at the general election in 1841; and the returns, as reported to the legislature on February 3, 1842, show that the eastern counties, settled by Northern people, voted by large majorities against county government, while Green, Crawford, and Iowa counties voted for the old system.[1] In the spring of 1842 the change was thus effected in the counties of Jefferson, Milwaukee, Walworth, Racine, Fond du Lac, Rock and Brown. Others made the change in succeeding years, so that when Wisconsin was admitted as a State, in 1848, all had adopted the town organization except the southwestern counties,—Grant, Green, La Fayette, Iowa and Sauk. In these the Southern influence still prevailed.

[1] *House Jour., Wis. Terr. Legis.*, 1841, p. 224.

By the new State constitution, the legislature was required to establish "but one system of town and county government, which shall be as uniform as practicable."[1] Accordingly the New York system, substantially what we now have, was adopted, and the southwestern counties were obliged to re-organize on this plan.[2]

Perhaps no feature of the changes made is more important than that concerning the control of the common schools. Up to 1848 the arrangements for school management were very complicated. At first local school powers were vested in three sets of officers, namely, three town commissioners to pay wages, lay out districts, call meetings, three district directors to locate school houses, hire teachers and levy school taxes, and five town inspectors to examine and license teachers and inspect the schools. In 1839 the town commissioners were abolished, their powers being divided between the inspectors and the county commissioners. But in 1841 the town commissioners were restored, and five district officers, a clerk, a collector and three trustees were provided for. The outcome of such a system was the greatest confusion and consequent dissatisfaction.[3] Yet it continued substantially unchanged till 1848. Since then a large part of the powers formerly vested in the town officers have been exercised by the district boards of three chosen in the respective districts themselves. The town commissioners and inspectors were replaced by a town superintendent, who retained the functions of supervision and licensing of teachers, while the other powers formerly exercised by the town through its officers were given up to the districts. While this was an improvement on the cumbrous system

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[1] *Const. of Wis.*, Art. IV., sec. 23.

[2] A mark of the peculiarity of the southwestern counties is seen in Art. XIV, sec. 12, of the Constitution; the Assembly districts of Grant, Iowa and La Fayette counties consisted of "precincts" instead of towns. The same, however, is true also of an eastern county, Sheboygan.

[3] For the early school system in Wisconsin see Whitford, *Historical Sketch of Education in Wisconsin*, pp. 24–28.

it superseded, a still further advance was made in 1862, when the town superintendency was abolished, the greater part of the duties of the office being transferred to a superintendent elected for the entire county. Abler men are thus secured for the work of school supervision, which is accordingly far more intelligent and effective.[1]

Doubtless the southwestern counties would have retained the old system for many years but for the provision in the constitution requiring uniformity. The lead region must then have contained a large element, perhaps a majority, of citizens bred under Northern influences; but other causes than sectional prejudice or tradition were operating in favor of Southern methods of local government. It was urged, in numerous petitions to the legislature, that the system of three county commissioners involved less expense than that in which the governing body consisted of as many individuals as there were towns in the county. These petitions came from all portions of the State.

Section 22, article IV, of the constitution reads, in part, "The legislature may confer upon the boards of supervisors of the several counties" certain powers, thus implying that the "uniform" system established by the legislature should be the supervisor system. This term and that of Commissioner had come to have definite and distinct meanings; and were in common usage, in legal signification, and in the intent of the framers of the constitution, not interchangeable. The one, by general and legal usage, designated the system of New York, in which the county board consists of supervisors from the towns; by the other was understood the system of commissioners chosen for the entire county. The bill presented to the legislature provided that the "county board of supervisors should consist of three electors," one to be elected in each of the three districts in which the county was to be divided. But in those counties that contained three or more

[1] The development of town control of schools is spoken of, p. 15, below.

assembly districts a supervisor was to be elected in each assembly district, and one additional supervisor for the county at large where there was an even number of assembly districts. This arrangement was made with the purpose of making the number of supervisors proportionate to the population of the respective counties; and, in consequence, to the amount of business in regard to roads, schools, taxes, etc., to be transacted in each. Each county board would consist of at least three members, but the number in every county would be much smaller than under the existing system. As far as the rather limited business of the county is concerned, this was at least an approach to the spirit of the Virginia plan, with its concentration of power in the hands of a few. But the main purpose of the supporters of the new plan was to have a smaller body to transact county business, and at the same time to adjust the number composing it to the population and public business of each county. The system in which each town furnishes a member of the county board, making a comparatively large number in that body, was regarded as too cumbersome and expensive for the newer and more thinly settled counties of the State. It was thought that, in these at least, business would be transacted with greater efficiency and dispatch by a board of three or five members. On the other hand, in the older counties, where population was denser and more compact, and where local affairs had attained a great extent and a considerable complexity, a larger board, securing representation to each small locality, was deemed necessary. The extent of the financial and general interests involved in such counties demanded a large body to secure careful attention to the interests of each locality.

The people of these counties, therefore, regarded the new plan as a step backward; as a return to the spirit of institutions that the constitution had specially sought to avoid. The petitioners generally used the term "county commissioners" to express the desired system, but the legislators who framed the law used the word "supervisors," and thus evaded the plain and well-known intent of the constitution.

The opponents of the proposed plan accordingly argued that it was unconstitutional, and also urged its repugnance to the spirit and forms of democratic institutions. The minority report of the committee on town and county organization[1] declared that the bill "contracts the representative privileges of the people and concentrates power in the hands of the few." Further,—"Person and property are periled. It is a miserly policy that seeks to put money into the scale against popular rights."

In accordance with a very general desire for a change in the county organization, the bill became a law.[2] The town organization, however, remained intact; and as the town with us is more prominent than the county, having in charge the most important local interests, this change in the county organization was of relatively small consequence.

But it was of sufficient moment to secure repeated consideration on the part of succeeding legislatures;[3] and from 1867 on, a series of successful attempts on the part of some counties to secure an organization similar in effect, if not in form, to that which had prevailed from 1849 to 1861. We may take the case of Washington county as an example. There, a special law of 1868 provided for a board of eight members, while its population entitled it to but three under the general law. The question was brought before the supreme court, which decided that the board of eight members was clearly illegal as being hostile to the uniformity in the different counties required by the constitution.[4] But several other counties,[5] in the two or three years previous to 1870, made

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[1] *Wis. Assembly Jour.*, 1861, p. 563.

[2] *Laws of Wis.*, 1861, chapter 129.

[3] See especially *Laws of Wisconsin*, 1862, chapter 399; 1865, chapter 75. By the latter act the biennial election provided for by the acts of 1861 and 1862 was retained, but only part of the supervisors were to go out of office each year.

[4] State *ex rel.* Peck *vs.* Riordan and others, 24 Wis., 484.

[5] Sheboygan, Green and Calumet.

similar changes in such manner as to conform to the constitutional provision; at least, the question of the legality of their organization was not brought before the supreme court.

In 1870 the supervisor system was restored. As in 1861, the unconstitutionality of the existing system, as evinced by the wording of the constitution, the debates in the convention, and the manner in which the law was put in force, was urged on one side, while cheapness was the main argument on the other. Representation of each town in the county board was thought necessary to prevent injustice toward any one town and to bring the governing body into closer relations of responsibility to the tax-payers. The transfer of local business from the legislature to the county boards and the consequent reduction of the length of the sessions was also urged by the advocates of the change. The argument in regard to cost was very strong, but the spirit of republican government triumphed over the consideration of expense, and the New York system was re-established and has continued in operation to the present time.

The general type and spirit of our local organisms, county, town and district, are not likely soon to undergo any change. Indeed the system of local government originating in New York and copied by Michigan, Illinois, Wisconsin and Nebraska, is the model to which the other States of the Union will, it is very probable, ultimately conform. And while rearrangements in the details, the minor and unessential points, are constantly taking place with every session of the legislature, there is at present no tendency to disturb the balance of power between the Wisconsin local organisms in respect to highways and general taxation.

But as regards the two other most important local concerns, care of the poor and management of schools, there are tendencies toward important changes.

It is at the option of any county to take the entire care of paupers into its own hands to the exclusion of the town. Where this is done the whole management is put into the

hands of three superintendents of the poor, chosen by the county board. Many counties have adopted this plan. In the same line, but in this case at the expense of the State, is the tendency to place the insane in county asylums instead of in the State hospitals, to which latter, accordingly, their name of *hospital* comes more fittingly to correspond. In 1888 sixteen counties had county asylums for the chronic insane. This movement is due to the efforts of the State Board of Charities and Reform who advocate the county asylum as furnishing for the patients greater opportunities for occupation, freedom and individual treatment, and as being cheaper.[1] Here, then, the county is somewhat gaining over the town. On the other hand, mention may be made of the town local option law, of which, however, few localities have taken advantage.

As respects elementary education, now the very foremost object of local government, the establishment of town high schools, toward which a current, though yet very slow, has set in, will have a very great influence for the improvement and elevation of the whole public school system. In 1869 the township system[2] of school government, in which the clerks of the sub-districts constitute the town school board, was made optional; but it had no popular hold, and in 1875 a law providing for free high schools was passed, partly to encourage the adoption of the township system.[3] Comparatively few towns, however, have established it, but in some of these its value has been conclusively demonstrated. And one of the things at present most earnestly desired by leaders in school matters in the State is the general establishment of these town high schools.[4]

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[1] See *Biennial Report of the State Board of Charities and Reform*, 1887–8, p. xiv.

For a comparison of the arguments for and against county system of poor relief see the *Report* for 1885–6, pp. 179–82, xv–xx. See also *Report* of 1887–8, p. viii.

[2] This, of course, ought to have been called in the statute the *town* system.

[3] See *Report of State Superintendent*, pp. 33–34.

[4] For the advantages of the town as compared with the district system, see *School Laws of Wisconsin*, 1885, pp. 150–2.

[Notes supplementary to the Johns Hopkins University Studies in Historical and Political Science, 1890, No. 2. [Whole No. 11].

THE ENOCH PRATT FREE LIBRARY.*

By LEWIS H. STEINER, Litt. D.

About four hundred and fifty years ago, a great collector and lover of books—Richard de Bury, the Bishop of Durham—wrote thus in his Philobiblion: "Books delight us, when prosperity smiles upon us; they comfort us inseparably when stormy fortune frowns on us. They lend validity to human compacts, and no serious judgments are propounded without their help. Arts and sciences, all the advantages of which no mind can enumerate consist in books. How highly must we estimate the wondrous power of books, since through them we survey the utmost bounds of the world and time, and contemplate the things that are as well as those that are not, as it were in the mirror of eternity. In books we climb mountains and scan the deepest gulfs of the abyss; in books we behold the finny tribes that may not exist outside their native waters, distinguish the properties of streams and springs and of various lands; from books we dig out gems and metals and the materials of every kind of mineral, and learn the virtues of herbs and trees and plants, and survey at will the whole progeny of Neptune, Ceres and Pluto." And long before the good Bishop's time King Solomon wrote, that "of making many books there is no end," although he added, as if in gentle complaint thereat, "much study is a weariness of the flesh."

For centuries even after the time of Richard, the number of those who could use the books that were collected by the bibliophilist, through purchase, presentation or wearisome copying, was small indeed. Learning seemed to be confined to the clergy or to occasional students who were given to the practice of arts of doubtful propriety and therefore constantly under the suspicion of the ecclesiastical authorities. When the legal and medical professions began to claim a position among the learned there was evidence

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*This historical sketch of one of the best local institutions in Baltimore was read before a class in Social Science at the Johns Hopkins University.

of a wider extension of learning and a greater attention to the multiplication of books. The invention of printing and other causes, which need not be mentioned now, gave additional impetus to this movement towards the wider dissemination of books. The laity, by which I mean all not included in the three so-called learned professions, asserted its interest in, and right to investigate the contents of books and the secrets of nature or mind which these either explained or stimulated to the study of. Hence there was an increased demand for books and, as a natural result of that, a wholesome supply of the same. The writer had aroused the earnest desire of a few students, and these still further stimulated an increase of writers. Literary and scientific interest was aroused and the department of letters was practically claimed to be, what it evidently was intended from the first to be, a Republic with no restriction of citizenship, based upon nationality, caste or profession.

Hence libraries began to be something more than small reservoirs of learning for the elect few, and they extended their limits so as to accommodate the increasing hosts of men and women thirsting after knowledge. Such libraries were probably first created and supported by institutions of learning, whether collegiate or otherwise, or were sustained by royal bounty or liberal appropriations made by men of wealth. The next step would be joint ownership, established by the payment of a specified amount annually, creating what is known as a subscription library. This primarily was established by persons of the same profession or calling, so that the membership would be limited to those of a common pursuit. Next, a wider range was given to the library, and no restrictions were imposed upon applicants for its books. This now included all persons who felt themselves able to pay the subscription price, and hence its books were obliged to cover the various departments of literature so that a variety of tastes could be satisfied. Moreover, the privilege of carrying books home was introduced, and the reader was able to examine and study there that which he had secured by virtue of his annual subscription. This was a wonderful advance towards making the treasures contained in books accessible to the people, and in interesting families in what was valuable or simply amusing in libraries. Necessarily, however, these subscription libraries, covering so wide

a field, were obliged to devote a large proportion of their receipts to the purchase of books of a popular character, or of those which would give rudimentary instruction rather than extensive or profound dissertations in the more recondite branches of knowledge, so that the great advance of knowledge demanded the establishment of reference libraries on a large scale, which should be emphatically the homes of the *students.* This demand has been met, in our country, by large foundations, creating the Astor Library in New York, the Peabody in Baltimore, the Rush in Philadelphia, and the Newberry in Chicago; all of which are splendid monuments to the liberality and philanthropy of their founders, and of inestimable value to the earnest seeker after knowledge. They meet, with greater or less completeness, the wants of the special student and are doing a work that must tell, sooner or later, upon the whole country.

But now the American idea asserted itself, that every citizen is entitled to whatever he may need in the acquirement of knowledge in any department, to which his inclination or bent may attract him. The library must be at his disposal without money or price, not only for purposes of study *within* its walls, but at his fireside and in his home circle. To secure this in some way was conceded to be an object worthy of every effort. Communities that felt this want resolved that it should be supplied, if in no other way, by direct taxation of its citizens, making private wealth contribute to the public good, knowing that an intelligent, wise community is a safer one for wealth and enterprise than one where ignorance prevails and vice claims the mastery. Many such free libraries have been established in this country, notably that at Boston, some forty years ago, the foundation of whose first building was laid September 17, 1855, and whose grand success and magnificent organization have been the inspiration which has originated and developed so many ambitious rivals in the United States. Its history exploded many fallacies with reference to the care that would be taken by the people of books placed at their command, and prepared the way for the exercise of that abiding faith, which has invited the public to partake of the stores of learning or amusement that might be offered for their edification or delectation.

Here in Baltimore, without waiting for that development of interest that would justify such a slight sacrifice to establish a

Free Public Library, has been secured at one stride all the advantages provided in the institutions established by taxation. On the 21st of January, 1882, Mr. Enoch Pratt informed the city authorities that he was about erecting a fire-proof building capable of holding 200,000 volumes, and would in addition erect branches in four quarters of the city, and furthermore give $833,333.33, provided the city would grant and create an annuity of $50,000 per annum forever, payable quarterly, for the support and maintenance of a Free Public Library. After the necessary legal preliminaries to secure the acceptance of this offer were gone through, a Board of Trustees was placed in charge, an executive officer appointed, and on the 4th of January, 1886, a Central Library containing 20,000 volumes was thrown open to the public, and within eight weeks thereafter four branch libraries containing three thousand volumes each were also brought into service to aid in the same good work. In addition to the latter, on the fourth of November, 1888, a fifth branch library was added to the chain of buildings intended to bring good reading matter within the reach of the citizens—whether permanent or transient—of Baltimore. The number of books possessed by these libraries on the first of January, 1890, was 51,492 in the Central Library, and 29,478 in the five branches, making a total on their catalogues of 80,970 volumes.

This library is absolutely free to all who will comply with the simple requirements laid down by its Board of Trustees. The founder states, in his letter transferring its management to the latter, that its advantages are "for all, rich and poor, without distinction of race or color, who, when properly accredited, can take out the books if they will handle them carefully and return them." The effort has been made to carry out this broad and magnificent offer in the spirit in which it was made by the philanthropist, who by thus contributing to the cultivation of the community, and by binding its citizens all together in a common pursuit of letters, has modestly erected an ever-enduring monument to himself and stimulated a host of similar endowments, in different parts of the country, from others whose wealth permitted such a luxury.

The library is free to those who comply with its regulations. There must be regulations or restrictions in every organization, and law is a necessary element for the proper assertion and growth

of freedom. These restrictions are: with regard to age, that the applicant must be fourteen years old, and, furthermore, that some person acceptable to the library must be furnished as guarantor that he or she will comply with all its regulations. The practice ordinarily is to require that the guarantor should be a male citizen, whose name is found in the last edition of the City Directory. Armed with such endorsement the applicant presents himself at the registration counter, where after signing a pledge to obey the rules, he is furnished with a library card. This card gives him the right to obtain any one of almost all the books in the library, some few of special value or rarity being excepted, which can, however, be obtained for perusal in the reading room, and some others requiring the approval of the Librarian before they can be taken out. He obtains his book on condition that he will return it within fourteen days, and that he will not subject it to any abuse. If he does not comply with the former, he is charged a small fine for each day it is kept over time, and if the book is returned in a condition showing misuse, he is expected to meet the fine that may be imposed for this, which in extreme cases is of a sufficient amount to restore another copy to the library. This card, issued to him in the first case without price, is exchanged also when full without price, but if he should lose it then he is charged a small sum for a new one, and obliged to wait a short time before it is issued so as to find the lost card if possible.

During the first four years of the existence of this library and its branches, 1,709,811 volumes were taken from its shelves by registered borrowers, all of which have been returned or paid for save sixty volumes. It has been found that, under careful supervision, the people generally can be trusted with books from a public library, and that the vast majority will be returned in a fair condition.

Attached to the library is a reading room, provided with nearly two hundred periodicals in English, German and French, and a goodly supply of Encyclopedias, Dictionaries, Commentaries and other books required to answer questions that may arise in daily life, or to assist the ordinary student in preparing his tasks. Complete sets of some of the standard Reviews are also near at hand, and at the service of the careful reader. Anyone, whether provided with the borrower's card or not, who conducts himself

respectfully and courteously, is permitted to examine and consult all this material, and indeed anything in the library is brought for his examination. Here the problem of "no distinction of race, sex or color" has thus far been shown to be of easy solution, wherever an honest effort is made to grapple with the subject.

As is usual in a free circulating library—for obvious reasons —contact with the books is only secured through the attendants. The applicant, after determining what book he wishes, gives his order for it, or rather for the number which is given to it in the printed Finding List or on the cards which represent such titles as have not been printed in the Finding List or supplements, to one of the attendants, whose business is to search and if on the shelves to furnish it to the applicant.

The books that are for circulation are arranged in certain classes for convenience. These classes contain with more or less accuracy all the books in the library on subjects that properly belong, or are nearly allied, to them. In this way deficiencies are gradually detected and efforts are made to supply them. A librarian, who has to stock his shelves so as to meet the varied wants of a large community, must first look after those books which are most required in the various departments, and, after he has provided for these, then proceed to secure others to meet less pressing wants, keeping always in mind that the current literature, when of a wholesome and proper kind, must be represented on his shelves. The limitations which attend his work are the amount of money at his disposal and the amount of time he can command to consider, either by personal examination or in some other way, the probable value of the books obtainable in the different departments. This can not be done by several men, but *must* be done by one alone, although he may call to his assistance any number of those in whose judgment he can confide and whose animus will not be to load the library heavily with the representatives of their own department or the exponents of their peculiar hobby.

In all free public libraries there will be a goodly proportion of fiction, because the majority of their borrowers is composed of those who read for recreation and amusement, and hence they must be supplied with books that will meet these conditions. The main thing in filling this class is to avoid as far as possible books that are written for immoral purposes, or, that under the plea of real-

istic composition, exhibit the lowest stages of human degradation and the vilest form of fiendish filth. Much that would not command the attention of scholarly taste or the approval of cultivated criticism will find its way into such a collection, and possibly has a place there, because there will be some who could find no comfort or relief from the dull humdrum of their lives in the writings of Scott, Cooper, Dickens, Thackeray and others who deservedly occupy a place on the highest plane attained by writers of fiction, but who require weaker and possibly more sentimental material to give the solace and amusement needed by their natures. I am not certain that we should strive to force such persons to attempt a grade of literature that they cannot appreciate, but am inclined to believe that it is better to induce them to read by putting within their reach that which will satisfy their infantile intellectual tastes, while it will not pander to vice or injure their moral sense. I think I have seen enough to satisfy me that men and women, boys and girls, can be gradually lifted out of a taste for the unreal and purely sentimental, and made to enjoy and long for that which is higher and better and indeed of the best.

Our experience shows that the percentage of fiction read in the Central Library is *fifty*, and of fiction and juvenile works seventy-one, while in each of our branches this reaches to eighty-four. And this experience does not differ from that of libraries that have been many years in existence and placed in communities particularly noted for their bookish proclivities.

While we have endeavored to meet this demand for recreation and harmless amusement by placing a fair supply of books of fiction on our shelves, we have not been unmindful of the higher needs of the mind. The works of the greater and lesser poets, who have claimed Great Britain and America as their homes, have been purchased, and those of others who have written in foreign tongues bear them company in such English dress as able translators have furnished. *Biography* and *History* have been recognized by a large nucleus, which is increased by weekly purchases until the collection in these departments is entitled to respectful consideration from the student. Voyages and Travels—always attractive to the young—also find on our shelves such a representation as to illustrate the manners and customs of mankind all over the globe, and to show how nations are pushing forward,

through the influence of men whose lives are worthy of a biography, to a development that gives them a right to a history.

The departments of Natural History, Natural Science, Applied Science and the Useful Arts, Military, Naval and Recreative Arts have been furnished with such books as may make them at least useful to those who wish to attain some acquaintance with their general principles, while constant additions will gradually extend their usefulness to readers who are not satisfied with a rudimentary acquaintance with branches that are so vitally connected with the wonderful progress of the present age.

The popular literature of the Fine Arts has not been forgotten, and monographs by the best writers have been gathered to aid those who may wish to study the principles that underlie the presentations of the beautiful in forms attractive to the senses.

Philosophy, in its widest sense, Political and Social Science, Language and Education, have been called on to furnish their contingent to make up our collection. The latest and freshest writers have been first secured, and while the shelves are swelled by the publications of their contemporaries, their number and effective force are also increased by the veterans who belong to the past. The same idea has influenced purchases in these departments as has controlled the collection of the whole library, viz.; first to secure what is current, *then* what is historically necessary to the thorough study of a subject.

The professions of Law and Medicine have received but little attention beyond the purchase of such books as would be of general interest to the unprofessional man. The existence of excellent Law and Medical Libraries in the city has made everything beyond this *not* a pressing necessity. In Theology we have gone somewhat further, and the collection presents an array of works that contain much to attract anyone whose devout or curious inclination may induce him to read of that which concerns his own spiritual welfare, the history of the Church, as well as of its wonderful caricatures, or of the giants who have thought and labored on these and kindred subjects.

Without attempting a tedious catalogue of what has been already gathered in this circulating library, or promising anything for the future, save the statement that it is increasing and will continue to increase its treasures on the same lines that were

established and have been travelled along since its organization, I must close this too superficial statement of the nature of the contents of the Pratt Library.

It was Mr. Pratt's idea to make his large donation inure for the benefit of the community, without any exception whatever. Partisan politics, sectarian religion, race prejudice were all to find no official recognition within its walls. It was intended for all, to furnish treasures that would enrich everyone living in the city of his adoption, and to bring instruction, comfort and amusement to all. The large numbers previously mentioned as availing themselves of this privilege show that the community has accepted his invitation and are eager to profit by it.

And now having placed before you in as few words as practicable, the history, plan and special objects of the library which has been under my charge since its organization, it seems proper that I should close this brief statement, as all sermons of the orthodox type are normally closed,—that is with an application. And this shall be to you, gentlemen of the Johns Hopkins University. Whatever may be the advantages of this institution, they are for you as much as for any other resident of Baltimore. Your faces will receive a welcome whenever you visit its rooms, your requests for books will be complied with on the *same* terms as those made by the more permanent residents of the city. Use what we have in your preparation for the work of extending your own usefulness,—and the more honest, earnest, careful use you make of the library the better will the officers and especially its President—the donor himself—feel that it is doing the grand work for which it was founded.

IV

SPANISH COLONIZATION

IN THE

SOUTHWEST

JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE

HERBERT B. ADAMS, Editor.

History is past Politics and Politics present History — *Freeman.*

EIGHTH SERIES

IV

SPANISH COLONIZATION

IN THE

SOUTHWEST

BY FRANK W. BLACKMAR, PH. D.

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SPANISH COLONIZATION IN THE SOUTHWEST.

Spanish Policy.

The remains of Spanish civilization in the United States are meager and insignificant in comparison with our rich heritage of Germanic institutions. And since the life and spirit of modern progress flow largely from Germanic sources, our laws, our forms of local government, our education and our social life have a direct continuity with these early institutions; wherever we find the vitalizing process of modern civilization, there we recognize the effect of the "liberty born in a German forest," and we may trace the germs of American institutions to "the generous barbarians."

It is not surprising that the study of Germanic institutions in America, as they have come to us through England, has ever been more attractive to the student than that of the fragmentary results of the Spanish occupation of the New World; for indeed the former are the living issues that represent the vital forces of history, and as such they appeal more directly to the positive interests of humanity. But in conceding this, we must always remember that the "generous barbarians" and their worthy descendants owe much for their forms of administration, government and law to the Roman civilization that preceded them; and that wherever the direct descendants of the old Roman civilization have gone they have carried with them the Roman system, a system that will be a subject of study and admiration so long as history is made.

It should be also considered that there are causes which prevent natural development and eminent success, and that these bring their own peculiar lessons in history and politics. Even the relics of departed greatness may invite the attention of the investigator. And at this particular period when the spirit of liberty is awakening the Spanish provinces to renewed life, and on the eve of the quadrennial celebration of Spanish discovery, the institutions of this Romance people have something more than a mere antiquarian interest to us.

All Spanish history is tinged with the high coloring of romance and abounds everywhere in strange paradoxes. A liberty-loving people, the Spanish have produced the worst types of complete absolutism; possessed with an active and progressive spirit, they have been slow to grasp and hold the vital elements of permanent improvement; abounding in magnificent opportunities for gaining and holding power, they were again and again forced to yield to the strength of foreign aggression on account of the internal maladies that consumed them; while popular representation and individual rights, the flowers of early independence, were crushed by the ruthless feet of tyranny and despotism. Among all of the modern nations of Europe, no other had such great opportunities for extending territory, for building and establishing a great empire, as Spain; no other power had such a prestige in the New World. Yet with all of this prestige and means of power, Spain yielded her territory, step by step, and passed from the front rank of the nations of the Old World. The discovery of America, first accomplished under the patronage of the sovereigns of Spain, gave to that nation the first and best right to the territory. In the century succeeding the discovery, Spain became the foremost nation of all Europe, at home and abroad, and had, therefore, a vast advantage in the strife for the possession of the New World. Again, the first adventurers and explorers that overran America were Spaniards; this fact strengthened the claims of the government to the new territory. So rapidly did they explore that within the short

space of seventeen years they had overrun a territory greater by one-third than the whole of Europe. The magnificent gift to Spain, by Pope Alexander VI, of nearly the whole of the western continent, strengthened the Spanish cause; the gift was readily accepted, and Charles V hastened to incorporate it under the crown of Spain forever.

The failure of Spain, under such favorable circumstances, can be largely attributed on the one hand to the management of the home government and on the other to the methods of colonization. There seems to have been at the seat of government an ignorance of wholesome administration or a total disregard of the sources of national prosperity. Consummate shrewdness in war and diplomacy was accompanied by a fatal stupidity in the ordinary affairs of the nation, and bigotry and oppression followed closely on the track of every attempt at enlightenment. The conquest and expulsion of the Saracens lost to Spain her best artisans and laborers; the expulsion of the Jews took away needed capital; the inquisition, like a monster, entrapped the unwary and destroyed the best blood of the nation. It was an instrument to be used alike by priest and king against all who opposed the established order of things.

It was the policy of both Charles and Philip to make Spain the foremost nation of the world, and to establish the unity of the Catholic faith. To this two-fold idea they sacrificed the liberty and the prosperity of the nation. The voice of the people was hushed, and the Cortes, a time-honored institution, was suppressed. The gold that poured into Spain from the Indies did not remain, but passed on to those nations that supported Spain in war, or furnished her citizens with manufactured goods. Heavy taxation had discouraged home industries, and more especially as it fell heavier and heavier on the few remaining tradesmen and agriculturists. The vast estates of the nobles and of the church were exempt from taxation, and they rapidly increased in value. Laborers and peasants were despised and all labor was becoming dishonorable, while all home industry was unprofitable.

Factories closed for the lack of workmen and the soil went without cultivation. Meanwhile other nations saw the situation and hastened to profit by it, and soon all of the foreign and domestic trade, as well as the foreign industries, passed into their hands. Such is a partial picture of Spain at the period of her early colonization in America. Let us see what was the effect of the policy of the mother country on the colonies.

For more than twenty years after the great discovery the explorations by the Spaniards in the New World were carried on by private parties under the sanction of the government, and had for their chief object the search for gold. As far as the discovery of gold was concerned all of these expeditions failed, until Cortes, by an accidental discovery of stores of hoarded wealth, and by bold and daring conquest, reduced exploration to a paying basis and robbery to a science. According to the custom of the times Cortes fitted out his own expedition, with the permission of the Spanish government; but, transcending the orders of the crown, he transformed exploration into conquest, and soon became master of all Mexico, over which he set up a provisional government. He was instructed by Galvaez, acting for the crown, "to observe the conduct befitting a Christian soldier; to prohibit blasphemy, licentiousness and gambling among his men, and on no account to molest the natives, but gently inform them of the glory of God and the Catholic King."[1] Pretending to follow out this instruction, Cortes chose for his banner a red cross on black taffeta, surrounded with the royal arms and embroidered with blue and gold; with the following motto inscribed on the border: "Amici, sequamur crucem, et si nos fidem habemus, vere in hoc signo vincemus."[2] It was with this sentiment that Cortes inspired his men to hope for victory; with this sentiment he attempted to justify his conquest of the

[1] Bancroft, *Mexico*, I, 54.

[2] Icazbalceta, *Documentos para la historia de Mexico*, II, 554.

harmless natives. Behind all this show of piety and pretence of justice there seemed to be an understanding between Cortes and Galvaez, as well as among the men, that licentionsness and plunder were to be their rewards for facing the perils of the expedition. But, enduring hardships and dangers without number, urged on by hopes of plunder and conquest, the adventurers soon extended their explorations to the center of Mexico.

In this early era of exploration and conquest the same plans were followed that were inaugurated in the conquest of the Saracens; the cross and the sword were combined in the work of extending the king's domain. The priest and the soldier went forth to conquest, hand in hand, and while the wolves of Spain were conquering, robbing and plundering the outraged natives, the cowled monk and the barefooted friar were holding out the consolation of the Gospel of Peace to an oppressed people. While the home government pretended to make beneficent laws for the sons of the wilderness, it cared only for the gold obtained from an enslaved people by robbery and forced toil.

The government of Cortes, in Mexico, did not long remain. His enemies worked against him to such an extent that he was superseded by another. The government of Cortes was a loose form of monarchy with no particular policy except to subdue the natives and subvert their system. But, failing to establish the confidence of the home government in his actions in New Spain, Cortes was forbidden to make further conquests, and the chief power was placed in the hands of a viceroy. As far as possible the government of Spanish America was now made a pattern of the home government, and, in fact, the new territory was incorporated into the kingdom of Spain; and in it were instituted the vices and follies of that kingdom. Despotism, fanaticism, and all of the follies of the mother appeared in the most aggravated form in the daughter. Even the horrors of the inquisition found their worst types, and this notorious instrument of torture its most unfortunate

victims, in the New World. There was no judgment and no restraint in its use, and consequently it proved but a horrid instrument of extermination.

The civil system divided the territory into districts and provinces, and over these were appointed governors and deputies with judicial functions. The whole provincial government was subject to the control of the viceroy, who, though receiving authority from the king of Spain, held royal sway in New Spain. The viceroys tried to imitate their sovereign in every way possible: they held court in great state and performed all of the functions of office with great display and pomp. The chief settlements of the country were made in the fertile valleys for the purpose of agriculture or in the mountains for the purpose of working the mines. There were also large grants of land to individuals who carried on the cultivation of the soil by means of the natives; these as fixtures to the land were granted with it. It was quite common to receive a royal grant of land and a certain number of Indians to till it, the recipient being allowed to obtain and control the slaves as best he could. Later, laws were enacted by which the slaves were distributed according to what is known as the *repartimiento* system. Subsequently this system was abolished and the natives were protected to some extent by laws freeing them and forbidding enforced labor. But the early practices were usually adhered to; and the natives, unused to the hard toil of the mines and of the plantations, were rapidly exterminated.

In this early colonial period there were towns planted by a company of individuals who received a grant of land for the purpose and founded each town and established its laws according to royal decrees. The laws for the establishment and control were always made by the home government; but the towns had a municipal independence, as far as their internal control was concerned, although they were subject to the general authority of the provinces and of the viceroy. The towns had their own alcaldes and mayor; but their independ-

ent action was somewhat limited, on account of the nature of the laws made in Spain for their government.[1]

The ecclesiastical system of Spain which was transplanted to the New World modified all forms and practices of government. From the first the religious idea was prominent in the new conquest and settlement, and it continued to increase in importance until the whole territory was under the control of the religious orders. Faulty as their system might be, and ignorant as were many of those who sustained it, the rule of the ecclesiastics is after all the only redeeming feature of the early American policy of Spain. The missionaries, as far as possible, stood between the natives and the Europeans, and shielded the former from the oppression of unjust and rapacious men.[2]

Yet the ecclesiastics not only obtained control of the religious work but had great influence upon the civil government; hence they not infrequently stood in the way of a more rapid development of the country. For the church system in Spanish America was a type of that of old Spain; an expensive system, with the usual pomp and ceremony, with the hierarchy of abbots, bishops and priests and the various other orders. It was through the church that the tithes were collected; but, by the bulls of Alexander VI and Julius II, the revenues derived from this source were made due to the king of Spain and were consequently at his disposal.[3] It is generally conceded that the establishment of so great a number of monasteries in a new country, where it was important that the population should be rapidly increased and that all available labor-power be utilized, was, upon the whole, a great hindrance to the development of the country

[1] When Spain first took possession of America a greater part of the territory was parceled out among the settlers and conquerors, much of which subsequently reverted to the crown. (Robertson, III, 276; *Recopilacion*, VI, VIII, 48).

[2] Burke, *European Settlements*, I, 164.

[3] Robertson, III, 282.

besides being a heavy drain upon the wealth of the land. The great power placed in the hands of the ecclesiastics was not always used for the best interests of the country nor for the glory of God; although it may be said that the laws established by the central government for the control and protection of the natives were the wisest of any ever recorded for treatment of an inferior race in a conquered territory by the conquerors.[1] Passing from the general outline of the policy of Spain in the American colonies, let us examine more especially the institutions of this nation which were developed in the Old World and established in the New, and investigate the customs and the methods of procedure in colonization and settlement.

Comparative Colonization.

The Spanish colonies resembled somewhat the Roman provincial colonies in the method of their formation and their relation to the mother country, although they differed greatly from these in their actual life. There was sufficient resemblance between the two to establish the origin of the Spanish colonies as Roman, and this accords with their historical development. The first provincial colony of Spain, although founded more than sixteen hundred years after the Roman provincial colony, was more Roman than Spanish, for Spain, at the time first-mentioned, had hardly developed a nationality, and the Roman type was stamped indelibly upon institutions of the Spanish race. The Spaniards, like the Romans, considered the lands colonized to be part of the territory of the parent country, and the government of the colony an integral part of the central government.[2] Both nations either displaced the inhabitants already occupying the territory or else attempted to incorporate them into the colony, and hence under the general government. The method of procedure in

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[1] Burke, *European Settlements*, I, 76.

[2] Robertson, *History of America*, III, 255.

the foundation of a colony had many marks of similarity in both nations, and the laws for controlling and establishing a colony were the same in both. As to the motives which led to the establishment of colonies, they varied in both countries at different periods of national life. Thus we find in the Roman policy four chief objects of colonization, namely: to people the province with persons of Roman blood; to guard and control a conquered province; to dispose of the surplus population of the city, and to settle the soldiery, whom Rome paid in land and thus removed a dangerous element. In all of these methods of settlement the idea of guarding the frontier was never entirely abandoned.[1] In the Spanish policy, the extension of the king's domain, the establishment of the frontier garrisons, the holding of conquered territory against the encroachments of other nations, the civilization of the natives and the extension of commerce were among the prime objects. Among all of these the promotion of commerce was a constant factor and so prominent was this idea that Spain finally established a commercial monopoly and developed a system different from anything else known among ancients or moderns.[2]

The earliest colonies of Rome were purely military garrisons sent out to occupy the territory, to keep it in subjection and to guard the frontier. Cicero terms the Roman colony of this class, *"Specula populi Romani et propugnaculum."*[3] These colonies were few in number at first and limited to the country of the Sabines and to Latium, but they were soon extended over all Italy. They grew in size and importance as there was need. Six thousand men were sent to Beneventum to guard Campania.[4] These military colonies developed into cities where Roman law and custom prevailed. As Rome continued her conquests beyond the limits of the

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[1] Arnold, *Roman Provincial Administration*, 218.
[2] Robertson, III, 265.
[3] Pro Fonteio, I, 33.
[4] Duruy, II, 488.

peninsula, it became necessary to plant colonies for the sake of retaining her sovereignty over those countries which were only partially subdued. In the Province of Spain there was founded at Italica (Old Seville) a military colony by Scipio's veterans which developed at a later date into a flourishing city, from which Trajan, Hadrian and Theodosius came. Somewhat later in 171 another colony of the same nature was established at Carteia, but as the colony was formed of families of a mixed race it had Latin right only.[1] The Senate had not yet sent citizens to settle in the provinces, and it was not until after the passage of the law of Gracchus (lex Sempronia agraria), which had for its chief object the relief of over-populated Rome and the provision of land for the poor, that any move was made to form colonies of citizens in the provinces.[2] The plan of Caius Gracchus for trans-marine colonies failed during his lifetime, but in after years it was carried out with good results. In 122 B. C. he set out with 6,000 colonists to found a colony at Carthage, which he called Junonia.[3] A burgess town with full Roman rights was established, but during the absence of Caius, influences were brought to bear upon his administration by his enemies which caused the repeal of the land law during the following year, and the new colony was without support of the central government.

The colonists, though disfranchised, continued to claim their holdings, and in later years the colony was in a flourishing condition. This was the first burgess town founded as a colony outside of Italy, although others were begun before this became firmly established. In 118 B. C. the Colonia Narbo Marcius, called Narbonensis, was permanently established in Gaul. In nature and object it partook more of the form of a military outpost than of a civic colony; but it had a burgess population with full Roman rights.[4]

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[1] Duruy, *History of Rome*, II, 217.

[2] Marquardt, *Römische Staatsverwaltung, Alterthümer*, IV, 106.

[3] Mommsen, III, 110, 133; Plutarch, IV, 542; Ihne, IV, 456, 473-4.

[4] Marquardt, *Römische Staatsverwaltung, Alterthümer*, IV, 262.

In the latter part of the first century before Christ foreign colonization was carried on extensively. At this period Cæsar founded many colonies and established not less than 80,000 citizens in the different colonies outside of Rome, many of whom were sent to Spain and Gaul.[1] Augustus continued the colonization so vigorously prosecuted by Julius; the majority of the colonies founded by him were of a military nature and created for the purpose of disposing of the army veterans.[2] Frequently other colonies were formed than those sent out by Rome by admitting the towns of the provinces to the rights and privileges of colonies; although sometimes the inhabitants of the towns were expelled to give room to Roman colonists. And again Roman colonists would be added to the already existing population, and the town would thus receive the rank of a colony.[3] When this was the case dissensions arose, which led to a struggle for supremacy; and this usually ended in giving to the original inhabitants larger privileges, though sometimes it produced results just the opposite. But wherever Rome went, there went the Roman government, and the Roman law and system of administration; and the recognition of provincial towns as far as possible as parts of Rome seems to be a distinct policy. Whether the town was formed on a civil or military basis, it was still a type of old Rome; an integral part of the empire. Even in the founding of the town, Rome was imitated; and municipal life and municipal custom as well as municipal law and administration were taken directly from the parent city.[4] From the moment of the conquest the Romans appropriated all of the royal domain, and frequently part of the common lands and in some instances the whole territory of the conquered, which at once became the Roman domain. The inhabitants were allowed to hold these lands as tenants of the state and were obliged to pay

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[1] Arnold, *Roman Provincial Administration*, 218.
[2] Marquardt, IV, 118.
[3] Arnold, 218.
[4] Arnold, 220.

taxes on the land (one-tenth), a personal tax, as well as duties and royalties, and to furnish requisitions when demanded.[1] On the other hand the colonists were Roman citizens and might, if they so desired, go to Rome and exercise their rights as such. They were also free from the tribute on land, but must fill all requisitions in time of war made by the central government. Though the colonists were Roman citizens they could not own the land which they occupied, but held it as a fief from the state. When the officer appointed for the purpose (agrimensor), led out a colony, he chose a tract of land, divided it into squares (centuriæ) of two hundred acres each,[2] which he again divided into smaller ones (sortes), and apportioned with the houses to the colonists according to rank, to be held as a sort of fief of the state. Thus the inequalities of old Rome were transferred to the colonies. At first the method of distribution varied, but it is held that Cæsar established a form for the apportionment of lands in the several colonies.

As to the internal workings of the colony, the Roman right or the Latin right was a meagre affair as far as an independent organization of the municipium was concerned. It received its municipal law from the Roman Senate and its whole form and process of administration were received from the mother country. There were senators or *decuriones*, consuls called *duumvirs*, and censors or *duumviri quinquennales*. But with all of this a certain amount of civil and military power was delegated to local authority, and the towns tended to develop a slight originality in government as the central government at Rome declined.

The provincial system of administration in the Roman government had, during its organization under the Republic, many marks of excellence. It was the policy of the Roman Senate never to destroy people, cities, and institutions, unless it was deemed necessary for the present or future safety of the Re-

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[1] Duruy, II, 229.

[2] Arnold, 219.

public. The policy was economic rather than humane; for a depopulated town pays no tribute, and furnishes no men in war. The people conquered were, as a rule, allowed to retain their own religion, their laws, their magistrate, and their public assemblies.[1]

And frequently they were left in possession of a part or all of their lands and revenues. When the country first submitted to Rome, a constitution was given to the people fixing the amount of tribute to be paid and defining their obligations to the new government, and, that order might be the sooner restored, the people were given a new civil code which retained, as far as possible, the old forms of municipal government.[2] By degrees the territory, with its laws and people, was Romanized. The governor was the chief ruler in the province, and municipal authority, except in cases of towns granted special privileges, was reduced to a minimum and the signs of a provincial assembly removed by the policy of "divide et impera."[3]

There was one class of Roman towns formed, by the establishment of garrisons throughout the provinces for the sake of guarding the frontier, which are of historic interest and which, although already alluded to, deserve particular attention. Whenever it became necessary for the protection of the Roman interests or the repression of a warlike people, a chain of fortresses was established along the frontier, or in the heart of the territory of the offending people.[4] But, whether planted on the boundary line of the Roman possessions or in the midst of a disaffected people, the primary object of these garrisons was to protect Rome.

Examples of this garrisoned town are those military settlements founded among the Silures in Britain and the later colonies established by Agricola.[5] Another notable example

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[1] Duruy, II, 27; Tacitus, *Annals*, III, 60-63.
[2] Duruy, II, 229. [3] Arnold, 17.
[4] Tacitus, *Annals*, XIV, 33.
[5] Merivale, *History of Rome*, VI, 30–31.

is the line of fortresses established in Gaul by Cæsar on the boundary of Narbonensis;[1] other familiar examples are the line of presidia in Spain, and the forts along the Danube. The development of towns from these military centres must have been very gradual, the military camp changing first into a village and then into a municipium or a colony.[2] There is but little distinction between these terms; in a general sense they may be used interchangeably, although the colony was of a higher order than the municipium,[3] having been sent out by Rome and having been granted full civil privileges from the start. However, a municipium might become a colony, and in fact a town might partake of the nature of the municipium and of a colony at the same time.[4] It was customary for the camp followers, such as sutlers, settlers and merchants, to pitch their tents outside of the ramparts, where a small community, more or less united, sprang up. If the camp remained in one place for a long time, as was frequently the case, the village grew rapidly and finally became a town with all of the rights, duties and privileges of Roman citizenship attached.

The soldiers usually intermarried with the surrounding people and became attached to the soil, or they brought their families with them and thus became permanent settlers. There were other species of military colonies: first, those that were established by Rome from the beginning, as when a whole army was retired to subdue the country; and secondly, the colonies formed by retired veterans who were given lands in payment for services, or as pensions, and were paid according to their rank. The natures of these colonies differed chiefly in the process of formation; the ceremonies in distribution of land at the foundation of a colony were uniform in all cases. But it is not possible to pursue this subject further than the bare indication of the Roman method of colonization.

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[1] *De Bello Gallico*, VII, 8.

[2] Arnold, 206.

[3] Aulus Gellius, *Noctes Atticae*, XVI, 13.

[4] Duruy, II, 242.

Spain was among the first provinces to receive the Roman civilization, and no other country was more completely Romanized.[1] This early transformation was accomplished by means of colonies, by the system of provincial administration, and by voluntary immigration. In the period immediately following the conquest of Scipio, from the year 196 to 169 B. C., more than 140,000 Italians crossed into the province of Spain.[2] This aided greatly in the infusion of the language, customs, and institutions of the Romans. Along the Mediterranean coast, the indigenous population and that of the Phœnicians was made to conform, under the Republic, to the customs of the ruling people.[3]

Under imperial reign, by means of colonization and the extension of the municipal system throughout the peninsula, Spain was completely Romanized. Under the rule of Augustus there were in all Spain fifty communities with full citizenship; nearly fifty others up to this time had received Latin rights and were, in their internal organization, equal to burgess communities.[4] Some of the earlier towns adopted Roman civilization long before; thus Baetica in the time of Strabo was Roman in custom and speech. On the occasion of the imperial census instituted in 74 A. D. the Emperor Vespasian introduced the Latin municipal organization into the remaining towns of Spain.[5]

Once Romanized, the Spanish people, naturally conservative, retained their adopted language, customs, and system of administration; and these the conquests by Teuton and Saracen did not eradicate. In respect to colonization we find traces of the Roman system as late as the eighteenth century. There was one element in Spanish colonization which did not enter into the early Roman plan, that of the Christian religion; and so strong was this element that it characterized all of the

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[1] Mommsen, *Provinces of the Roman Empire*, I, 78.
[2] Duruy, II, 217.
[3] Mommsen, I, 74.
[4] Mommsen, I, 75.
[5] Marquardt, IV, 258.

undertakings of the Spaniards after the union under Ferdinand and Isabella; from that time on the mission and the presidio were constantly associated.

Not only did the Spaniards send out military colonies to guard the territory but they established missions for the conversion of the natives. They also established civic colonies for the purpose of peopling the land, and to this end held out inducements to settlers. At first a legal fiction was assumed, that the soil by justice and right belonged to the natives, but on a religious basis they were deprived of this right, which was vested, without the consent of the supposed owners, in the crown of Spain. In whatever form the colonization took place, whether of a mission, a presidio or of a civic colony, the colonists were occupying a part of the royal domain and were controlled by the royal government. All colonial powers and policies originated with the king; and from the sovereign flowed all grants of land, because he was sole proprietor of the soil.[1]

The colonists had no rights arising from the situation, there was no political power developed out of popular government; it came from the king. The result of this policy was inevitable: without thought of religious or civil liberty, hampered on every side by the laws of trade and by oppressive taxation, the colonists were but puppets in the show of government. Even the assistance which the home government gave the colonists in the beginning, was of such a nature as to stifle every attempt at self-government or independent development.

As a result of colonization, the Spaniards resembled the Romans in several phases, one of which was the mingling of the blood of the conqueror with that of the conquered, thus producing a new race of people with peculiar traits and habits. The Spaniards, like the Romans, had a complex system of provincial government and departments, all of which were officered by appointments from the home government. This

[1] *Recopilacion de leyes de los Reynos de las Indias*, I, 523.

provincial government was so arranged that direct communication was established with the central government and so diversified that every part could be set to watch every other part and thus prevent federation of towns and independent life. On the contrary, in the attempts to incorporate the conquered people into the general government, it was the policy of Rome to tolerate, as far as possible, existing institutions, while Spain demanded a complete revolution in religion, government, and life, and a complete destruction of all institutions. In both, the character of the colonists was not the best; and, while some adventurers, criminals and gold-seekers came to other colonies, the Spanish colonies had more than a fair proportion of these classes.

The idea of commercial monopoly is at the foundation of all modern national colonization schemes, and Spain, more than any other country, attempted to enforce monopoly by direct governmental control of all trade and commerce. After Europe emerged from the feudal ages, and at the same time modern states were developing, along with the development of new industries there was a great demand for the precious metals, and each nation tried to make them flow into its own territory and to prevent their return, believing that this course of action would lead to wealth.

Spain sought gold directly in the mines of Peru and Mexico, and to her the colonies were valuable and worthy of consideration in proportion as they furnished an abundance of the precious metals. Later, as trade developed between the colonies and the mother country, the latter imposed the severest measures possible for the control of commerce. As the attempt to control the flow of gold and other products of the colonies increased in ardor, the industries of Spain passed to other countries and left her powerless to contend with other nations in the markets of the world, after her short but glorious reign closed. The gold continued for a long time to flow into Spain, but it passed on into other countries containing the industries which fed and clothed the Spanish people. Be-

fore the discovery of America, Spain was a noted manufacturing country; but, by the close of the reign of Philip III, the common commodities in her markets were produced by other countries.[1]

The first great arbitrary measure was the establishment of the Council of the Indies with full control of all affairs in the provinces, whether ecclesiastical, military, civil or commercial.[2] Under the influence of the council everything and everybody were kept in close subjection to the ruling power; legislation was minute and explicit to the smallest shadow of a doubt, while obedience to authority was the great law of being. Through its power the officers of the crown were appointed, and to it all officers of the crown were amenable for their conduct. For the immediate control of trade a special tribunal was created, called the Casa de Contratacion, whose special duty was, besides being a court of judicature, to regulate all intercourse of Spain with the colonies in America.[3] With these two instruments of power in the home government and the vice-royalty and the inquisition in the New World, there was ample opportunity for the exercise of arbitrary power. Nor was that opportunity left unimproved. All vessels were obliged to unload their cargoes at Seville and later at Cadiz; this course concentrated trade and secured a monopoly to a few merchants in Spain, while a few persons by purchasing all of the imports into the colonies had the monopoly of the trade in New Spain.[4] To keep trade firmly under control the government prohibited the cultivation in the colonies of any products that were produced in Spain; such as saffron, tobacco, hemp, olives and grapes. These and other arbitrary measures finally threw Spanish commerce, and other enterprises connected with New Spain, into a decline. But the search for

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[1] Dunham, *History of Spain*, V, 265; Coxe, *Kings of Spain*, III, 517.

[2] *Recapilacion*, libro II, titulo 2, leges 1, 2.

[3] *Recopilacion de leyes de las Indias*, libro IX, titulo 1.

[4] Merivale, *Colonization and Colonies*, 10.

gold, the greed for land, and the love of adventure, had already stimulated the Spaniards to explore large territories: and the home government with its constantly diminishing power found it difficult to secure and hold such vast domains. The result was a lull in conquest until the revival of the nation under Carlos III, about the middle of the eighteenth century.

This monarch brought about a reform in politics and administration; revived industries and trade; established commerce, which was carried on by a new navy, and brought back vigor to national life.[1] The vigor of his administration was felt to the utmost bounds of the provinces, and it was during this revival that the colonization of Alta California was accomplished. Prior to this, exploration and settlement had been constantly extended to the north and west, carried on chiefly by the influence of the religious and the civil authorities combined. After attempting many times to make permanent settlements in the peninsula of California, the civil authorities surrendered the enterprise into the hands of the Jesuits, who succeeded in making a permanent reduction of the country in the early part of the eighteenth century.[2] By the aid of the military and civil authorities they were able to hold their position until 1767, when they were expelled from New Spain and forced to yield their work to the Dominicans and the Franciscans.

This enterprise, together with the explorations of Cabrillo (1542) and Viscaino (1597–1702), opened the way for settlement of Alta California. But long before this was accomplished the present territory of the United States had been penetrated and settled farther to the east in that part of the interior of New Spain, now known as New Mexico and Arizona. The story of the wanderings of Alvar Nunez Cabeza de Vaca, the hero of the Narvaez expedition, is familiar to every

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[1] Coxe, *Memoirs of the Kings of Spain*, III, 517; Dunham, *History of Spain and Portugal*, V, 265.

[2] Venegas, *History of California*, Part III, sec. 1.

one. He and his companions, becoming detached from the main expedition, continued their exploration, returned to the coast, built frail boats and embarked on the gulf in search of the main expedition or the settlements of Mexico; and, having been shipwrecked, Cabeza and his three companions were cast on shore on the west coast of Louisiana, the only survivors of the ill-fated enterprise.[1] Wandering thence they passed through the Indian country and near enough to the pueblos of New Mexico to bring glowing accounts to Mexico of populous and wealthy cities to the far north. The desire to possess this wealthy territory led to the expedition of Coronado for the purpose of exploring and conquering the "Seven Cities of Cibola."[2] The expedition brought trials and hardships, and although populous villages were discovered, the stores of wealth, the real objects of their dreams, were not found; consequently the enterprise was called a failure. Fifty-five years after this expedition the Viceroy of Mexico made a contract with Juan de Oñate for the conquest and settlement of New Mexico.[3] A successful occupation of the territory was effected, but the difficulties in the way of developing the resources of the country were never overcome. The civic colonies and towns were always weak and there were no inducements for persons to settle in a place where there was no market. The missions were soon in a flourishing condition, but the methods of treating the natives led to innumerable troubles, and finally to a revolution and massacre. In the year 1630 the official records show fifty missionaries in the field, ministering to sixty thousand converts, dwelling in ninety pueblos. Notwithstanding this apparent success New Mexico was for seventy years an isolated community of settlers, soldiers, neophytes and Franciscan missionaries, who curbed their desires within the limits of bare subsistence. The colonies were not self-

[1] Winsor, II, 231, J. G. Shea.
[2] Winsor, II, 473–504, H. W. Haynes; Bancroft, XV, 83.
[3] Bancroft, *California*, I, 12.

supporting; the salaries of the missionaries, as well as all agricultural implements, were forwarded from Mexico.[1] There was no thrift, no enterprise; and the settlers, living in the presence of stores of wealth in the mountains, had to maintain a constant warfare with the stubborn Moqui and the fierce Apaches. It was during this period that Sante Fe, the oldest town in the west, and having the oldest church in the United States, was founded. In this territory are many remains of Spanish and Mexican institutions and ruins of the works of the early missionaries and colonists; but their study must be made in another place.[2]

When Spain was awakened from her lethargy, at the time of Carlos III, above referred to, there was a well grounded fear that unless immediate action was taken the claims of the nation to the territory of the northwest could not be maintained. Consequently the king gave orders for the occupation of Alta California.[3]

The whole enterprise was placed under the supervision of Galvaez, the Visitor-General of New Spain. He dispatched two expeditions by land and two by sea, and all were under instructions to found, as soon as possible, missions at San Diego and Monterey and to establish missions at intermediate points. The aims of the project are set forth in the words of Galvaez, who affirms that they are "to extend the dominions of the king, our lord, and to protect the peninsula from the ambitious designs of foreign nations." After many trials and delays attendant upon the necessarily imperfect methods of communication and travel in those times, the expeditions all met at San Diego and founded a presidio and a mission there, and subsequently moved on and occupied Monterey. From this time until the Mexican revolution the Spaniards made constant endeavors to develop and people the country.

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[1] Bancroft, *Cal.*, I, 27.

[2] Winsor, II, 471, *et seq.*

[3] Venegas, Part IV, 213–225.

The Mission System.

The occupation and settlement of Alta California was accomplished by a three-fold plan, involving the civil, religious, and military forces of the government. First, there were established the presidios, or frontier fortresses, to guard the "mark," which finally combined the civil with the military function and developed into military towns; and secondly, the purely civic community, or pueblo, composed of colonists settled on the land; and finally the mission, which was ecclesiastical in its nature, but to be eventually resolved into a civil pueblo. In the colonization of California, the mission must ever hold the front rank, more on account of the zeal and enterprise of those connected with its management, and on account of the amount of the work accomplished, than because of the nature of the settlement. Whereas the State regarded the missions as temporary institutions, the priests, to whom their welfare was entrusted, regarded them as the most important of all the institutions encouraged by the government; and consequently they threw their whole life into the work of civilizing the natives.[1] Whatever the intentions of the government might have been on the subject, it was firmly held by the padres that their work was to be permanent.

It is very interesting to note the coöperation of the civil, ecclesiastical, and military powers, in the settlement of a new country; and these all acting under the express commands of a sovereign nearly five thousand miles away.

The military and the religious forces were used by the State in the consummation of its plans. Although it was often affirmed that the object of Spanish expeditions was to convert the natives, and doubtless it was so intended by at least some of the sovereigns of Spain, yet it was never the prime object of the State.[2] Galvaez was a zealous Christian, and believed

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[1] Venegas, *History of California*, Part III, Section 1.

[2] Bancroft, *Mexico*, III, 409.

heartily in the conversion and civilization of the Indians; but he was also in the service of the king of Spain, and believed that friars were to be made politically useful, and consequently he hastened to secure their services in the conquest of California. On the other hand the relation of the military to the mission was that of protection against hostile invasion. Viewed from the standpoint of the ecclesiastic, the soldiers were sent to guard the missionaries and to build forts to protect them against sudden attack; and consequently soldiers were subordinate to the priests in the process of settlement.[1] This was in part true; for wherever missionaries went a guard was sent to protect them; but this guard was sent by the king or his representative. Beyond the design of protection to the missions was the greater object of guarding the frontier against foreign invasion. The friars, like the soldiers, were to be dismissed from the service of the State when their assistance was no longer needed, and the results of their efforts in the cause of civilization were turned over to the civil authorities.

Prior to the conquest of California, the civil power had relied very largely upon the ecclesiastical in the management of the Indians; although the ecclesiastic was always under the direction of the civil law.[2] In the conquest and settlement of Mexico and South America, the religious orders were found very useful in domesticating the natives, and in controlling the Spanish colonists and soldiery. For this, as well as for other reasons, the extension of the faith was always encouraged by the crown of Spain. The pious sovereigns no doubt desired to improve the conditions of the natives and to save their souls, but there was involved in the process an ever-present idea of advantage to the State. During the early explorations in the New World, the natives received very little consideration, although friars accompanied each expedition to

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[1] Venegas, Part III, Section 21.

[2] *Proclamation of Ferdinand VI*, Venegas, III, 21.

administer to the spiritual needs of the Spaniards, and to preach to the natives when opportunity offered. In the year 1522 Friar Melgarejo came from Spain to grant indulgences to Spaniards, on account of their outrageous conduct toward the natives; and on his return he carried a large sum of gold which was lost in the sea.[1] It was not long after this that Father Otando and other friars began in real earnest the work of domesticating and baptizing the Indians, but it was many years before the work was well systematized.

In the early history of the conquest the Indians were made slaves and disposed of at the will of the conqueror; subsequently a general law of the Indies laid a capitation tax on all of the natives, which could be paid by working eighteen months in the mines or on a rancho.[2] In the oldest grants made to proprietors in Hispaniola the Indians were treated as stock on the farm, and the deed of transfer of property declared the number which the proprietor was entitled to treat in this way.[3] After this the natives were treated by what is known as the *repartimiento* system, under which they lived in villages, but were compelled to labor in places assigned them for a given period. The proprietor had a right to their labor but could claim no ownership of their persons.[4] The next legislation in regard to the disposal of the Indians engrafted upon the *repartimiento* the *encomiendas* system. This required that within certain districts the Indians should pay a tribute to the proprietors of that district, which of necessity must be paid in labor, and the lords of the soil were required to give the natives protection. It was a revival of the feudal theory in part, but the relative positions of the contracting parties rendered the tribute sure and the protection doubtful. But with all this apparently wise legislation the

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[1] Bancroft, *Mexico*, II, 175.

[2] *Recopilacion de leyes de los Reynos de las Indias*, libro VI, titulo 3.

[3] Merivale, *Colonies and Colonization*, 279.

[4] Arthur Helps, *Spanish Conquest of America*, Ch. I and II.

condition of the Indian grew worse; he was still at the mercy of the conqueror.

To improve their condition the decrees of the king of Spain instructed the priests to gather the natives into villages and compel them to live in communities.[1] For lands occupied they paid a rent to the proprietor and a personal tax or tribute to the crown. Here they were under the immediate control of the ecclesiastics, but were granted the privilege of electing alcaldes (judges) and regidores (councilmen) of their own race for the control of municipal affairs.[2] But this was a mere show of freedom, for the priests in charge had the power to control this election by-play as they chose.[3] Under this system, and forever afterwards, the natives were treated as legal minors under a trusteeship. The royal decrees so recognized them, and the missionaries, in all their dealings, treated them accordingly. It was a common thing for the padres to call the neophytes their children. This was the outcome of the legal fiction held by the king that the natives had the primary right to the soil; the Indian race was to be retained and to share the soil with the Spanish people, but to be in every way subordinate to them. However well recognized this policy might have been the children of the conquered land usually submitted to the convenience of the conquerors. The race problem of placing a superior and an inferior race upon the same soil and attempting to give them equal rights was then, as now, difficult to solve.

On the other hand the priests and the secular clergy were diligent in the salvation of souls. Thousands were baptized by the friars and taught the rites of the new religion. It is said that in a single year (1537) above 500,000 were baptized,[4] and that the Franciscans baptized, during the first eight years of their active work, not less than 1,000,000.[5] But the

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[1] *Recopilacion*, VI, 3, 1–29.
[2] *Ibid.*
[3] Humboldt, *Essay on New Spain*, I, 421.
[4] Bancroft, *Mex.*, II, 408.
[5] Torquemada, *Monarchia Indiana*, III, 156.

process of civilization was too severe, and the treatment received at the hands of the dominant race too oppressive, to make rapid progress in the arts of civilized life possible, and the numbers of the natives decreased rapidly under the treatment of the conquerors.

The most perfect example of this method of civilizing the natives is that furnished by the Jesuits in Paraguay, where, in the last half of the sixteenth century, they held absolute sway over a large part of the territory.[1] In this tract of land, granted them by the king, untrammeled by government, custom, law and the common nuisance of settlers and adventurers the Jesuits began their state. The Indians were gathered into towns or communal villages called "bourgaden" or reductions, where they were taught the common arts, agriculture and the practice of rearing cattle. In each town were appointed two spiritual guides who baptized the natives, taught them the rights of the Christian faith and religious and moral life in general.

At first all property was held in common, the labor of each person being allotted according to his strength and skill. While the villagers gave over to the community the products of their toil they were in turn fed, clothed and instructed. The chief occupations of the natives were agriculture and the rearing of cattle, but they soon had a sufficient number of skilled artisans to manufacture all of the necessary commodities for the use of the young state, and were consequently economically and commercially independent. For many years these colonies flourished, and there were large stores of surplus grain in the villages, while the plains were covered with herds of cattle.

At the time the territory was ceded to Portugal there were 300,000 families gathered into forty-seven villages or districts.[2] As soon as the families had adopted the elements of modern

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[1] *Documentos para la historia de Mexico*, II, 204.

[2] Burke, *European Settlements in America*, I, 328 *et seq.*

civilization and had shown a capability of independent life they were permitted to hold land in severalty, to call it their own, and to have the right to the product of their own labor. There was an attempt to teach them the elements of self-government by allowing the natives to elect from their number, by ballot, magistrates to represent each district; these, when chosen, were to be subject to the approval of the Jesuits in charge. Here, away from the contaminating influences of modern civilization, was an ideal state, equal to any of the dreams of St. Simon, Fourier or Bellamy. It was successful enough, and the natives were very happy until they came in contact with the natural selfishness and avarice of the European, for it must be understood that while under Spanish authority no stranger was allowed to enter this land unattended by an official of the Jesuits. But here, as elsewhere, the direct contact of the sturdy Europeans with the native race has been productive of disaster to the weaker, and no legislation has been able to protect them. It is worthy of attention that in this, as in all other successful communistic societies, the great mass of the people must be as children before the central authority, and must subscribe to a law of absolute obedience to this central power. This same method was attempted in Mexico, but an attempt to gather the natives into villages failed, and the severe treatment that they received at the hands of the conquerors wasted them away, while the constant contact with the Spaniards prevented the adoption of systematic methods of civilization. Yet we find that certain individuals pursued the same plan elsewhere. Salvatierra carried out the same methods in Lower California,[1] and Serra, the Franciscan, adopted this plan in Mexico prior to his entrance into Upper California, where he continued to follow the same system, with some modifications. It cannot be said that it was the system of the Jesuits, but rather the system

[1] Venegas, Part III, Sec. 11.

founded by the laws of the Indies, but first successfully applied by the Jesuits.

As has been stated, the first colony in Alta California was planted at San Diego, in 1769, as a result of the four expeditions dispatched from Mexico by Visitador Galvaez. The first public exercises, after the arrival of the colonists, were to say mass and erect a cross, and this was done with the usual ceremonies.

At Monterey we find the same order of exercises. Mass was accompanied with the roar of cannon and the rattle of musketry, after which Captain Portola unfurled the Spanish flag and took formal possession of the land in the name of the king.[1] At San Diego and at Monterey a few rude huts were thrown up at first, one of which was used as a church, and the more permanent buildings of the presidios were erected afterwards. As soon as practicable the friars began their missionary labor, and from that time on it was the most important work accomplished in the occupation and settlement of California under Spanish rule. After the occupation of Monterey news was dispatched to Mexico informing the authorities there of the progress of the expeditions. The accomplishment of a plan that had been in the minds of kings and rulers for over two centuries caused great rejoicing in the capital city. The unity of the civil and religious powers in the temporal and spiritual conquest of California is shown in the nature of the celebration that took place in Mexico on the arrival of the news of the grand achievement. The cathedral and church bells rang; a solemn thanksgiving was held in which all of the government dignitaries participated, and a grand reception was given, at which Minister Galvaez and Viceroy Croix received, in the name of the king, the congratulations of the people on account of the conquest. In the midst of this enthusiasm an order was issued for the completion of the plan of conquest and for the founding of five new missions.[2]

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[1] Bancroft, *California*, I, 170.

[2] Bancroft, XVIII, 173.

The usual method of founding a mission in a territory was as follows. After the construction of a few rude huts the missionaries, by a display of banners and pictures, attracted the attention of the natives, and further gained their confidence by gifts of food, trinkets and bits of cloth. A banner with a picture of the Virgin, was among the most powerful attractions held out to the natives; it appealed to their superstitious nature, and when explained to them had a wonderful influence in their control. Little by little the friars induced familiarity and confidence in the natives, who returned each day, bringing companions with them. Finally they were led to listen to the teachings of religion and consented to engage in work about the mission buildings, as long as they were remunerated with food, trinkets and bits of clothing. As soon as possible they were induced to live in huts in or near the mission and to take up the forms of religion and civilization. The rude mission buildings soon gave away to more habitable structures and the products of arts and industries began to accumulate.[1] Prior to the occupation of California by the Europeans the Indians dwelt, more or less, in temporary villages, later called "rancherias," where they had an imperfect government, controlled by chiefs, councils and priests.[2]

It was the custom of the friars to go out frequently from the established mission to these adjacent villages and instruct the Indians, and this resulted in making the surrounding rancherias dependent upon the central mission. From these villages the neophytes of the mission were re-enforced. In later times, after the wild Indians became scarce, predatory excursions were made and the natives were secured by force and brought to the mission for civilization.

It was the policy of Charles V that the Indians should be "induced and compelled" to live in villages, this being considered they only way to civilize them. Minute instructions

[1] Forbes, *History of California*, 42, 56, 199, *et seq.*

[2] Powers, Stephen J., *Aborigines of California; U. S. Geological Survey*, J. W. Powell, 1888. Dwinelle, *History of San Francisco*, 13.

were also given by this monarch for their government in the village.[1] They were to have a priest to administer religious affairs and native alcaldes and regidores for the management of municipal affairs. It was further provided that no Indian should change his residence from one village to another, and that no Spaniard, negro, mestizo or mulatto should live in an Indian village over one day after his arrival, and no person should compel an Indian to serve against his will in the mines or elsewhere. In all of these, and similar provisions, the laws of Spain for the treatment of the natives were, upon the whole, wise and humane. Carlos III granted special privileges to the natives and annulled the laws providing for the repartimiento and the encomienda systems, although it was still the policy of the government to keep them in a condition of perpetual minority. It was upon these and similar laws of the Indies that the practice of treating the natives of California was based, although the method varied in its details.

As soon as a new convert was baptized he was made to feel that he had taken personal vows of service to God, whom the priest represented, and to think that the priest had immediate connection with God. From this time on he was a neophyte and belonged to the mission as a part of its property. As the padre in charge had full control of all of the affairs as well as the property of the mission the relation of the missionary to the neophyte was *in loco parentis.* As far as the individual workings of the missions were concerned there was established a complete form of patriarchal government. If a neophyte escaped from the mission he was summoned back, and if he took no heed of the summons the missionary appealed to the governor who dispatched soldiers to capture him from his tribe and return him to the mission. After his return he was severely flogged. For small offences the neophytes were usually whipped, put in prison or the stocks or else loaded with chains; for capital crimes they were turned over to the

[1] *Recopilacion*, Libro VI, for laws governing *los Indios.*

soldiery, acting under the command of the governor, to undergo more severe punishment.

In the general government of the missions the Viceroy of Mexico was the final arbiter of all disputed points, but the immediate authority and supervision was given to a padre president, who had advisory control of all the missions. As there was a military governor of the entire province in which the mission was located, frequent disputes occurred between the military and ecclesiastics. In each mission were two ecclesiastics; the senior having control of the internal affairs of the mission, and his subordinate, who superintended the construction of buildings, the sowing and harvesting of grain, and the management of the flocks and herds.

It will be seen that by this system the neophyte was politically and economically a slave; the missionary had control of his labor-power and had a legal right to the products of his toil. The law called for Indian magistrates, but the part played by the neophyte in this novel state was exceedingly small. The fathers utilized the leaders of the tribes, "capitans" as they were called, in the control of the natives, and frequently went through the formality of an election in appointing them as mayordomas or overseers, alcaldes or councilmen; but it was indeed a matter of form, for the power all lay with the priest.

The life of the natives at the missions varied with the nature of the friar in charge, but as a rule the tasks were not too heavy. Upon the whole, the life was quite easy enough to those who liked it, although the neophyte found the steady round of duties at the mission far different from that which the wild and reckless habits of his former life had taught him. Under the discipline of the mission he must undergo a ceaseless round of religious, social and industrial duties, which must have been severe indeed to the life that had been accustomed to its freedom and had never toiled except by accident. Much attention was given to religious affairs, and if we may credit the report of explorers, frequently the temporal needs of the natives, who lived in a condition little removed

from the original, were sacrificed for the sake of religious and ceremonial practices.

As the products of the labor of the neophytes were under the control of the friars, and as a large amount of the products were spent in embellishing the churches or were hoarded in the missions, it is evident that much more might have been done to relieve the temporal condition of the natives and consequently to improve their spiritual condition.[1]

At sunrise the angelus summoned all to mass, and from the several departments, directed by the overseers and led by the priest, the neophytes filed into the church to engage, for one hour, in public worship. At the close of the public service breakfast was served and the natives repaired, as directed by the overseers, to the fields or to the workshops, to pursue their various occupations. Seven hours of each day were devoted to labor, two to specific prayer, and the remainder of the time to rest and divine worship. The neglect of religious service was considered a misdemeanor and visited by corporal punishment. The industries of the mission were varied. Apart from the missions were the great ranches where the sheep, cattle and other stock were herded or allowed to roam with the least possible care. These needed attention and were cared for by the natives, under the direction of the overseers of Indian blood. Somewhat nearer the mission were the fields for sowing and the vegetable gardens and the orchards; all of these needed care and hard work. Then the creek or the river must be dammed and the long irrigation ditch built and these must be kept in repair. In seed time, and in harvest, as well as while the crops were growing, there was no lack of toil for the domesticated Indian.

There were other industries carried on. Artisans were sent from Mexico to teach the natives to make saddles and shoes, to work at the forge, to spin and weave, and in fact to teach them all of the common industrial arts. The construction of the

[1] De Mofras, II, 316.

churches, the storehouses and the dwellings required much labor, for stones must be quarried, brick made and dried in the sun and timber hewn and frequently carried a great distance. For all of this the native received food, clothing and instruction. The food of the natives consisted of roasted barley (atole) for the morning meal, which was prepared while mass was progressing, by persons appointed, one from each cabin, as cooks for the time being. The barley was roasted in quantities and further prepared by boiling, but apportioned to the neophytes daily, according to their supposed needs. At noon a more substantial meal was served, composed of vegetables, in addition to the barley preparation.[1] Doubtless the natives were more regularly and better fed than when wild they fed upon the products of the chase, or on roots, herbs and acorns, but it may be doubted that they were better physically under this new life.

The clothing of the natives was always meagre; a coarse cloth was made into blankets and shirts which, with shoes or sandals, made their chief covering, although sometimes a more complete civilian dress was given. When a ship arrived from Spain or Mexico small quantities of fancy goods were distributed among the neophytes.

As for shelter, the first houses of the natives, in their domesticated state, were made of sticks, driven in the ground and covered with straw. They were not far removed from the rude huts in which the natives dwelt prior to their connection with the missions. The sun and air had free play in the loose structures and the inmates suffered much from the effect of the storms of winter, but it was maintained by the fathers that the natives could not be induced to live in better ones and that these structures were more conducive to their health than closely constructed buildings. It was also necessary to burn these houses occasionally in order to free them from vermin, and it cost but little labor to replace hovels. It is to be

[1] Forbes, 219.

noticed, however, that as soon as convenient the natives were given more substantial houses, although the public buildings of necessity had to be remodelled first, and especially the church. In the larger buildings of the mission better apartments were prepared for the females, who were regularly locked up for the night, that they might be properly protected.

Not all of the time of the natives at the mission was occupied in religious ceremonies and the daily routine of toil. The life at the missions was relieved by social hours, in which the neophytes could engage in games or enjoy idleness, as suited their taste. They were very fond of games and music and the padres took advantage of these inclinations to teach them many things in a social way.[1] Besides some innocent games of chance, gambling was learned from the Spaniards and carried to criminal excess.[2] Dancing was a favorite pastime in some of the missions. In their games the Indians resembled grown children in simplicity. We must except gambling, in which, like drinking, they imitated to perfection a class of white men who were anything but childlike. The padres took great pains to teach the domesticated natives music on the violin and other instruments, and as the neophytes were fond of this pastime it helped to spend the evenings more pleasantly, and was especially helpful at divine worship.

Much could be added of interest pertaining to the life at the missions, but the subject will be closed with a quotation from De Mofras describing the mission of San Louis Rey: "The building is a quadrilateral. The church occupies one of its wings; the façade is ornamented with a gallery. The building, raised about ten feet above the soil is two stories in height. The interior is formed by a court. Upon the gallery, which runs around it, are the dormitories of the monks, of the majordomas and of travellers, small workshops, school-rooms and storehouses. The hospitals are situated in the most quiet part of the mission, where the schools are kept.

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[1] La Perouse, II, 224.

[2] Forbes, 223.

The young Indian girls dwell in the halls called the monastery, and they themselves are called nuns. They are obliged to be secluded to be secure from outrage by the Indians. Placed under the care of Indian matrons, who are worthy of confidence, they learn to make clothes of wool, cotton and flax and do not leave the monastery until they are old enough to be married. The Indian children mingle in the schools with those of the white colonists. A certain number, chosen among the pupils who display the most intelligence, learn music, chanting, the violin, the flute, the violincello and other instruments. Those who distinguish themselves in the carpenters' shop, at the forge or in agricultural labors are appointed alcaldes or chiefs (overseers) and charged with the direction of a squad of workmen. Before the civil power was substituted for the paternal government of the missionaries the administrative body of each mission consisted of two monks, of whom the elder had charge of the interior and of the religious instructions and the younger of the agricultural works. In order to maintain morals and good order in the missions they employed only so many of the whites as were absolutely necessary, for they knew that their influence was wholly evil, and that an association among them only developed those habits of gambling and drunkenness to which they are unfortunately too much inclined."[1]

The missions were all built upon the same general plan, although they differed very much in regard to convenience, quality, and magnitude of structure. At first the buildings were of the rudest nature conceivable, but these gave way to more substantial structures of stone or brick. The plan of building about a quadrilateral with the buildings opening on an interior court planted with gardens where the trades could be plied in the open air on pleasant days, was universal. The church was the principal building, and upon it was lavished the greater part of the wealth of the primitive

[1] De Mofras, I, 261.

community, and upon it was bestowed the most elaborate work of the padres and their carpenters. The walls of the buildings were thick and substantial. Though the architecture was somewhat clumsy it is to-day a monument of the skill and industry of the padres.

There are traces of the Moorish architecture as modified in Spain after the first expulsion of Moors in the eighth century. The Saracens introduced certain types of architecture which they derived from eastern countries and these types became prominent features of the national architecture of Spain.[1] The Roman was united with these types in their development. This primitive architecture was transplanted to America before the universal introduction of the pointed arch called Gothic; indeed, there are remnants of this Moorish style in the modern architecture of Spain, the Gothic never having completely dominated it.[2] But the old architecture remains in its purest forms in the Spanish provinces, thus following a universal law of development. The remains of the old buildings are full of historic interest, but the historian looks beyond the buildings to the ruins of the institutions represented there, and reflects upon the course of events that wrought a civilization which endured less than a century; upon the nature of the government that existed, failed and passed suddenly away. The buildings are fast crumbling into decay; the natives are scattered, the most of them dead, and soon there will not be a vestige left of the civilization that cost hoards of treasure and many lives, and was an expression of holy zeal and long continued self-denial.

The plan of reducing the country by means of missionaries involved the intention of the government to change, as soon as possible, the missions into pueblos and to replace the missionaries with regular ecclesiastics.[3] This plan had been adopted

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[1] Freeman.

[2] *Del Arte Arabe en España*, par D. Rafael Contreras, 101.

[3] Wm. Cary Jones, *Report on Land Titles in California*, 13.

in Mexico and in other provinces of New Spain, and it was clearly the intention of the government to carry it out in California as soon as practicable. The patriarchal community was to be changed into a civil community, the missionary field was to become a diocese, and the president of the missions to be replaced by a bishop.[1] The mission churches were to become curacies and the communicants of the neighborhood were to become parish worshippers. The monks who had entire charge of the missions having taken vows of poverty and obedience were civilly dead and consequently had no right to property. The missions had no right or title to the land, either by general law or grant, but held an easement or usufruct of the occupied territory. It was supposed that within a period of ten years the Indians would be sufficiently instructed in Christianity and the arts of civilized life to become citizens, and that the missions would become pueblos, all passing under civil jurisdiction.[2]

The plan of secularization of the missions was well understood by the government and the church, and there could be no doubt on any question except that of the time when the natives must be educated in the forms of industry and civil government and prepared for an independent life. The priests were zealous in the instruction of the Indians in the industries and had given to the leading ones more or less independence, but the entire mass of the natives was tending away from independence and self-government toward a species of slavery. They went through the daily round of toil under fear of punishment and allowed the missionaries to think and act for them in all other matters. In fact they were becoming less and less prepared to maintain an independence in contact with a superior race.[3] The plan of secularization also involved the grant of lands to the Indians in severalty, but the church had no power to make such grants.

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[1] Dwinelle, 20. [2] *Opinion of Judge Felch*, Dwinelle, 20: Moses, 9.
[3] Cf. Humboldt, *New Spain*, I, 421.

In choosing the lands for the establishment of the missions the padres had wisely chosen the most fertile and otherwise most favorably located valleys, and soon a line of twenty-one missions extended from San Diego to Point Reyes, occupying all of the most fertile land of the coast. For the mission property included the missions and grounds, the tillable lands, as well as the great pasture fields where the herds of the mission were kept.[1] Thus the claims of one mission touched the claims of another, and as no civil town could be legally founded within five miles of the mission[2] the entire land was exempt from the settlement of Spaniards.

Having lived a long time on the lands which they were accustomed to treat as their own ; having accumulated property and having governed with almost absolute sway, the friars, though they owned not a foot of soil, were never ready to give over the property to secular authority without a struggle; consequently they invariably fell back upon the fact that the neophytes were not yet fit to become citizens. The secular clergy and the friars had been at strife on this question for centuries,[3] and many complaints had been entered against the friars by gentes de razon on account of the arbitrary manner in which they strove to control the lands. Finally, to settle the matter, the Spanish Cortes passed a decree on the thirteenth of September, 1813, to the effect that missions which had been founded ten years should be given over to the bishop, without excuse or pretext, in accordance with the laws. The friars might be appointed temporary curates and a certain number might be retained permanently where needed, but the majority must move on to new fields.[4]

By this, the first law respecting secularization in California, the missions were to be transformed into pueblos, the mission lands to be reduced to private ownership and the neophytes

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[1] Bryant, *History of California*, 281.
[2] *Recopilacion*, IV, V, 6.
[3] Bancroft, *California*, II, 399.
[4] Bancroft, *California*, II, 499.

governed by town councils and by civil authorities.[1] The last section of the decree reads as follows: "The religious missionaries shall immediately cease from the government and the administration of the property (haciendas) of said Indians, it being left to the care and election of these (Indians) to appoint among themselves, by means of their ayuntamientos, and with the intervention of the governor, persons to their satisfaction, capable of administering it, distributing the lands and reducing them to private property, agreeably to the decree of the 4th of January, 1813, respecting the reduction of vacant and other lands to private dominions."[2] This decree took effect in portions of Spanish America, but was not officially published in California until January 20th, 1820, and was probably unknown there until its publication. At this time the Viceroy of Mexico published a proclamation which he forwarded to Prefect Payeras and Guardian Lopez, with instructions to comply with the terms of the decree at once, or as soon as demanded by the bishop. This led to a controversy, and with this the matter was dropped for the time.

After the revolution in Mexico the subject was again agitated, the friars continued to resist all encroachments upon the mission lands, although they were coveted by many and although the missions had proved the granaries of the country and the friars had always rendered assistance to the presidios and the pueblos, there was still a feeling that the mission system was antagonistic to the best interests of the country and the government. But the main plea for the secularization was that the Indians were in a state of servitude, and, indeed, in the decrees of secularization, the term "emancipation" was used in reference to the neophytes.

Again, in 1833, the Mexican law declared that the government should proceed to secularize the missions of Upper and Lower California according to principles already laid down.[3]

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[1] Tuthill, *California*, 126.

[2] *Halleck's Report*, 125; *Hall's History of San José*, 430; Dwinelle, 39.

[3] *Halleck's Report*, 148.

Article fifth of these regulations provides that "To every head of a family, and all of those above twenty-one years of age although they have no family, a lot of land, whether irrigable or otherwise, if not exceeding four hundred varas square, nor less than one hundred, shall be given out of the common lands of the missions; and in community a sufficient quantity of land shall be allotted them for watering their cattle; common lands shall be assigned to each pueblo, and when convenient municipal lands also."[1] In accordance with the same instrument one half of all the movable property and personal property was to be divided among the settled neophytes. The Indians were forbidden to sell, burden or alienate, under any pretext, the lands which may be given them, neither might they sell their cattle. In order to carry out this plan of secularization the governor was instructed to appoint commmissioners who should take an inventory of property, lay out land for the Indians and explain to them, with "suavity and patience," the changes about to take place. In the following year the California deputation, in accordance with the Mexican law, established specific regulations for secularization.

From this time on, numerous laws and decrees were passed by the Mexican Congress or by the authorities in California for the secularization of the missions, with a final result of the destruction of the greater part of the mission property. The laws which had for their assumed purpose the conversion of the missions into pueblos "were, after all, executed in such a manner that the so-called secularization of the missions resulted in their plunder and complete ruin and in the demoralization and depression of the Christianized Indians."[2] Whether so intended or not the ruin was complete, and the civilization wrought by the faith and the zeal of sixty years was soon destroyed by the improper legislation of a fickle and revolutionary government. De Mofras states that there were

[1] *Ibid*, 150.

[2] Dwinelle, 54.

30,650 Indians connected with the missions in 1834 and only 4,450 in 1842, and that the property of the missions had declined in like ratio. Of the 424,000 horned cattle in possession of the missions in 1834 there remained only 28,220 in 1842. Other wealth of the missions was squandered in a like ratio. The amount of this wealth was considerable, for in twenty-one missions, extending on a line from San Francisco to San Diego, linking together the most fertile valleys of the coast, there were produced in 1834, 70,000 bushels of wheat and 30,000 bushels of smaller grain; also 100,000 cattle were slaughtered every year, yielding a product of ten dollars per head.[1] The total product of the missions was more than two million dollars, and the valuation of movable stock, aside from the buildings, orchards, vineyards, etc., was, in 1834, not less than three millions. Besides all of this the "Pious Fund" yielded an income of fifty thousand dollars.[2]

Many criticisms are, from time to time, offered on the methods pursued by the Franciscan fathers and the Spanish authorities in their attempts to civilize the Indians, but history records no better work ever accomplished in modern times for an inferior race. Over thirty thousand natives had been domesticated and well started on the road to civilization. They had been brought from the state of savagery, taught to wear clothes and accustomed to a regular life of toil, taught to read and write, instructed in music and trained in the service of the church and practiced in the doctrines of the Christian religion.[3] They were taught the useful trades, and could they have been persuaded to continue, they might, under favorable circumstances, have been self-supporting. But the system rested upon the theory of no contact with other races, and the neophytes were still treated as children.

The Indian was treated too much like a child, too much like a slave, and too little like a man.[4] There had not yet

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[1] De Mofras, I, 321.
[2] John C. Doyle, *Cal. Hist. Soc.*, Vol. I.
[3] Dwinelle, 84.
[4] La Perouse; Bancroft, *Cal.*, I, 436.

been instilled into him the principles of and practice of political and economic independence. Yet a recent visit to Haskell Institute assures me that the United States Government, after experimenting for over a hundred years in the treatment of the Indians, has finally adopted the principal features of a method used by the Franciscans in California over a century ago. They are taught the useful trades, arts and music and instructed in the elements of learning. The late Indian severalty bill also has in it a familiar feature of this old method, as it provides for the ownership of a piece of land by every Indian, which shall be guaranteed as his own.

Civic Colonies.

The purely civic colonies of California were called pueblos to distinguish them from missions or presidios. The term pueblo, in its most extended meaning, may embrace towns of every description, from a hamlet to a city, and consequently might apply equally well to the missions, with their adjacent Indian villages, to the small villages springing up around the presidios, or to the regularly settled colony. However, in its special significance, a pueblo means a corporate town, with certain rights of jurisdiction and administration. In Spain the term lugar was usually applied to towns of this nature, but the Spanish Americans have preferred and persistently used the term pueblo. But the word may be used in several distinct ways, each of which may be entirely correct. In the first place it had a political significance when it was applied to the jurisdiction of all the legal voters within a certain territory; secondly, it applied to the judicial jurisdiction represented by an alcalde of the pueblo, which did not always coincide with the political jurisdiction; and thirdly, the pueblo had a proprietary existence defined by the rights to certain lands given by the grant, and when complete it had a town council (ayuntamiento), composed of councilmen (regidores),

judges (alcaldes) and a mayor.[1] This view gives to the conception of the term a wider signification than that of a mere collection of houses (aldea), its most common signification.

The use of these terms remind us that the origin of this institution, like that of many others in Spanish America, dates from an early period of old Spain. It is quite remarkable that in our so-called Anglo-Saxon nation there should have existed, as late as the present century, so many of the customs and usages of a Romance people, and that there still remain in some of our States vestiges of the laws and judicial procedure of old Spain. Spain has ever been a conservative nation, in spite of frequent revolutions, and her customs and laws have been preserved throughout the centuries, and, like other nations, the best preservation of these laws and customs is found in her colonies.

Not only was Spain the first territory to be fully colonized by Rome but the first to develop the municipal system, the first to allow the communes representation in the general assembly, and the first, in fact, to formulate a code of modern laws. The Spanish commune had its origin in the attempt of the government to repopulate the territory made vacant by the wars against the Saracens, and especially those lands vacated by them.[2] Inducements were held out by the government to settlers to form towns, with certain chartered rights granted to the colonists (pobladores). The first charter granted is said to have been that of the city of Leon in 1020, which recognizes the municipal council as a time-honored institution.[3]

In this charter, and in others of this period, the citizens were granted certain privileges of the succession of property and a right to their own judges, either appointed by a higher authority or elected wholly or in part by the people of the town.[4]

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[1] Instructions of the Governor of California in a letter to the Ayuntamiento of Monterey, Jan. 25th, 1836; cf. Dwinelle, 51.

[2] Dunham, *History of Spain and Portugal*, 99.

[3] Hallam, *Middle Ages*, Part II, Chap. II.

[4] Alberto Lista, *Del Regimen en España.*

It is difficult to point out the exact origin of the municipality. It is claimed by some that the Roman municipality was never entirely obliterated by the Teutonic and Arabic invaders and that many of the early colonies of Rome retained their identity and their time-honored rights. Considering the general effect of the Roman law and the Roman government, especially that of the municipality, upon the Northern invaders this is wholly plausible. At a very early period the Spanish pueblo was composed of lords and commoners, but in connection with these were the courts or *companeros* of the king, consisting of the military governors and captains of the army charged with the defence of the country and the re-settlement of the frontier.[1] It is certain that the towns must have made some progress in self-government at an early date, for we find that the towns were granted popular representation in a general assembly about the middle of the twelfth century.[2] The deputies of the towns were represented in the courts of Leon in 1188, and there are references that seem to indicate that this was not the first instance of popular representation.[3]

The establishment of towns with municipal rights and popular representation developed a new branch of the law composed of fueros, that is of chartered rights, of privileges and decrees. The first compilation of these new laws occurred in the famous Siete Partidas, formulated by Alphonso X in 1258, which became, after the succeeding reign, the basis of the common law of Spain and the authority to which were referred all procedures of doubtful character.[4] Although this body of laws was formed of the Code Justinian, the code of the West Goths and the Fueros Real, it represented a body of ancient law and usage that endured throughout all subsequent legislation. Consequently it formed the basis of the royal de-

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[1] *Ibid.*

[2] Popular representation occurred about a century later in France, England, Italy and Germany; cf. Hallam, Part II, Ch. II.

[3] Dunham, IV, 134.

[4] Dunham, IV, 134.

crees made for the settlement and the government of the colonies. Based on this code the kings of Spain, especially Charles V, Philip II, Philip III and Philip IV, made laws and gave decrees for the settlement and government of Spanish America. Not only was the newly colonized territory considered a part of the national domain, but the laws and ordinances for its government were promulgated from the central government. In this, as well as in the idea of peopling and guarding the frontier, the Roman method was closely followed. All details must be reduced to law and pass through a process of administration before any action was taken, nothing was trusted to the needs of the colony arising from peculiarity of situation or from subsequent development.

Nevertheless the Spanish sovereigns endeavored to work out in detail those laws best suited to the supposed condition of the settlers, and in later times they endeavored to consider the exact condition of the colonists before making laws for their control. But it was not until the time of Carlos III that there was any show of liberality on the part of the sovereign in regard to self-government. There was at this time, after two hundred and fifty years of occupancy of the land, evidence of original development, of the modification of the old laws and of provincial independence. But it was very slight, as we find the laws of two and a half centuries being enforced with little modification. The colonies were servile, and as far as administration was concerned, they developed but little vital liberty.

There was, however, one distinct feature of the Spanish American town which separated it from others of its class in the old world—and that was unity. Made after the same pattern the towns and colonies were quite similar. Not so in Europe, for it was not uncommon to find a single province containing towns of every variety, one holding its lands in full proprietary right, another by mere usurpation, another in common with a neighboring lord, and yet another in partnership with a bishop, a church, a convent or a monastery. All

liberty in the towns of old Spain was either purchased or forced from the power of feudal nobility or received directly through chartered rights granted by the sovereign.

There was at least symmetry in the foundation of the rights of the towns of Spain, and this led to the formation of all the towns in the colonies upon the same general type, or at least after special types.[1] This had a tendency to guarantee the rights of the town and to free it from irregularities and exactions. And, as has been already stated, the general laws and regulations governing the province and the provincial town proceeded from the crown, nevertheless the provincial governors were recognized as having special privileges, and their recommendations were frequently followed, and especially so during the latter part of Spanish rule; and under Mexican domination, the provincial governors were recognized as having, to a certain extent, an independent administration.

Although laws for the settlement of the new territories were made by Charles V, the first general system of laws regulating colonization were enacted by Philip II.[2] There were two principal methods set forth in the royal decrees. The first vested the land by proprietary right in the individual, provided that he found a colony after prescribed rules. The second plan granted the land to a company of individuals and reserved to them certain rights as citizens and colonists. The first method allowed the proprietor to settle a town with Spanish colonists by contract, with a town council (ayuntamiento), composed of alcaldes and regidores, and required the proprietor, as a guarantee of the grant, to establish, within a given time stated in the contract, thirty settlers each provided with a house, ten breeding cows, four oxen and additional small stock.[3] The proprietor must procure a priest for the administration of the sacrament and provide a church and

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[1] Dwinelle, 34.

[2] *Recopilacion de leyes de los reynos de las Indias*, II, 19.

[3] *Recopilacion*, Libro IV, Titulo V, ley. 6.

utensils for divine worship. The priest was at first temporarily appointed by the proprietor, but the king reserved the right to make all subsequent appointments. Should the proprietor fail to comply with all the requirements of the law as manifest in his bond, the improvements already made would revert to the king and the proprietor be subjected to an additional fine of one thousand *pesos* of gold; on the other hand, should he succeed in founding the colony according to agreement, he was then entitled to four square leagues of land.

By the second method it was provided that ten married citizens, or more, might form a settlement, with the customary pueblo grant of four leagues of land. They were accorded the common municipal rights and granted the privilege of electing, annually, alcaldes of the ordinary jurisdiction and a common council.[1] This guaranteed to the settlers certain democratic rights, and represents in this respect the type of the true Spanish pueblo. More laws were added to these from time to time, the Spanish sovereigns always giving very explicit instructions to the minutest details of procedure; even so small a matter as sending irons for branding cattle must receive the royal sanction.

The laws for the colonization of California, though based on the laws above referred to, were set forth in regulations proclaimed by Philip de Neve, governor of provincial California in 1779, but did not receive the royal approval until 1781. The first settlement in Alta California had been made ten years prior to this proclamation and several missions and presidios had been founded in the intervening time. These regulations mark the beginning of a new enterprise, that of an attempt to settle the province with Spanish people (*gente de razon*). They represent but little that is new in the law, but are rather a development and explanation of the laws of the Indies. The regulations relate to all departments of the government of the province, but title fourteen treats especially

[1] *Ibid.*, ley. 10.

of political government and colonization. The instructions are set forth clearly and in detail, embracing the methods to be employed in founding colonies and the rules to govern the colonists.[1] In the introduction the governor states that it was desirable to found colonies in California in order "to fulfil the pious intentions of the king" and to secure to his majesty "the dominion of the extensive country which occupies a space of more than two hundred leagues, comprehending the new establishments, the presidios and the respective ports of San Diego, Monterey and San Francisco." Another reason of prime importance was urged, that towns should be established in the interest of the state in order that the people might encourage agriculture, cattle breeding and other branches of industry to such an extent that in a few years the produce of the colonies would be sufficient to supply the garrisons of the presidios. San José had already been founded with this idea in view and another pueblo was contemplated to be peopled with settlers (pobladores) from Sinaloa and Sonora.

In this way it was hoped to obviate the great risks and losses which the royal government might suffer in the transportation of supplies so great a distance. Still another consideration must not be overlooked, namely, the new colonies would supply recruits for the presidio garrisons, and at the same time prove a means of defence to the entire country. The law provided that each poblador, to whom house lots or lands were granted, should be obliged to hold himself "equipped with two horses and a complete saddle, musket and other arms" for the defence of his respective district, subject to the call of the government.[2] It would not be difficult to trace in this grant of land, on consideration that the receiver hold himself in readiness to defend the king's territory, something analogous to the old feudal regime.

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[1] Halleck's *Report*, Ex. Doc. 17; 31st Con., 1st Sess., 134–9; Hall's *History of San José*, 450, *et seq;* Dwinelle's *Colonial History of San Francisco;* Bancroft, *Cal.*, I, 333; *Archives of Cal.*, 732, 762, 746.

[2] *Regulations of de Neve*, XIV, 16.

Prior to the regulations of Neve each settler was entitled to receive one hundred and twenty dollars and food, annually, for the first two years after enlisting as a colonist, and provisions alone for the three following years. At the end of five years he might be put in full possession of the land, provided that all of the conditions had been fulfilled. By the new regulations this law was changed so as to give to each settler one hundred and sixteen dollars and seventeen and a half cents for each of the first two years and sixty dollars per annum for each of the remaining three years. The colonists were to enter upon their possessions at once, their salaries, stipends and rations beginning with the enlistment.[1] But these provisions were a small part of the inducements offered to settlers by the Spanish government. Each settler was entitled to receive a house-lot, a tract of land for cultivation, another for pasture and a loan of sufficient stock and implements to make a comfortable beginning. In addition to these he received two mares, two cows and one calf, two sheep and two goats, all breeding animals; two horses, one cargo mule and one yoke of oxen or steers; one plow point, one spade, (of wood with steel point) one axe, one sickle, one wooden knife, one musket and one leather shield. In addition there were given to the community at large, to be held as town property, the males, corresponding to the total number of cattle of the different kinds distributed to the settlers, and other animals, for the purpose of breeding. The town also had one forge, one anvil, six crowbars, six iron spades, the tools necessary for carpenter and cast work and other necessary tools and utensils.

The implements and stock granted to the settlers were to be repaid within five years, in horses and mules, "fit to be given and received." But the surplus produce of the colonists must be purchased by the government for the use of the presidios, and a certain part of this return must be set aside each year for the payment of the loans.[2] And all of the above regulations

[1] Neve, XIV, 3.

[2] Neve, XIV, 15.

were approved by his majesty the king, according to the laws of the Indies.

In the process of founding the town and laying out the land the instructions were not less explicit. By an ancient law a pueblo grant was four square leagues of land, laid out in the form of a square or an oblong, according to the conditions of the country.[1]

The first point to be established was the plaza, which in an inland town must be laid out in a rectangular form at the center of the town, or in case it was on a river or bay, the plaza was to be located on the water front.[2] Having located the plaza the surveyors proceeded to lay out the town, dividing it into blocks and lots.[3] At the center of the plaza was located the pueblo jail (juzgado), and facing the plaza were the public buildings, the council house, the church, the store rooms, etc., while the remaining frontage was occupied by dwelling-houses.[4] There are traces of these old plazas yet remaining in some of the towns of California, although the majority have been used for public parks or for the location of public buildings. After the location of public buildings, the land composing the remainder of the proposed towns was divided into building lots and granted to the founders (pobladores). The Spanish law provided that each settler should receive a building lot thirty *varas* square, separated by streets of ten *varas* in width between each block of two lots.[5]

However, there were variations in the size of the house lot; thus, the lots of Los Angeles were twenty by forty *varas* and by the Mexican ordinance of 1828 for the colonization of the territories of the Republic, each lot must be one hundred varas square.[6]

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[1] *Recopilacion*, II, 19.

[2] *Recopilacion*, V, IV, 6.

[3] Bancroft, *Central America*, I, 496.

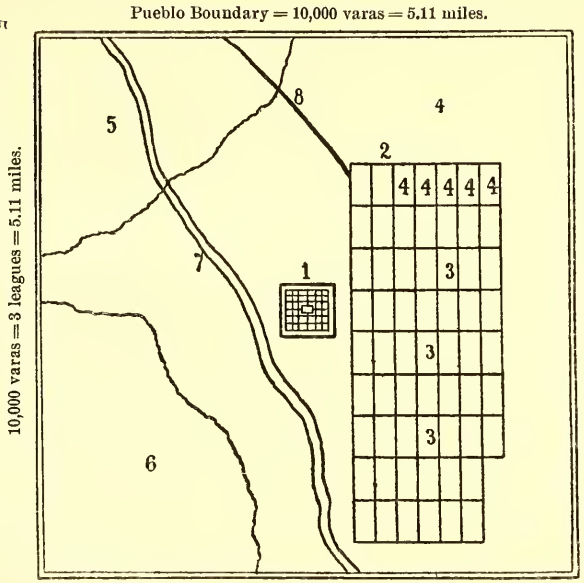
[4] See Figure 1, B.

[5] A *vara* is a Spanish yard of $32\frac{2}{10}$ inches, and is still used as a measure in selling city lots in California towns.

[6] Halleck, Sec. 15, 142.

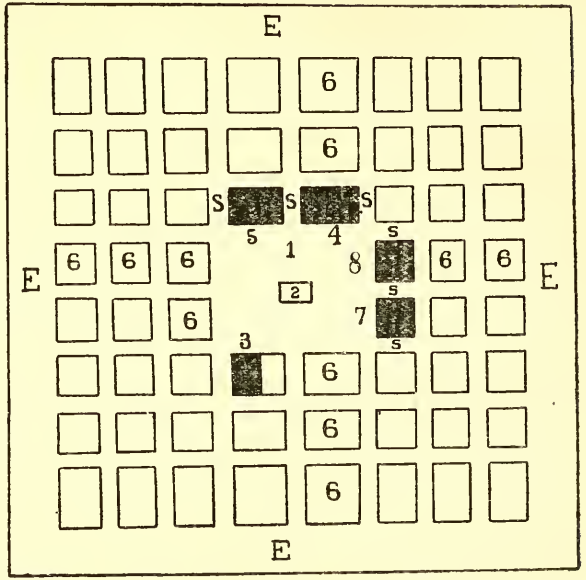
FIG. 1.—AN IDEAL PUEBLO AFTER THE LAWS OF THE INDIES.

A.



A. PUEBLO GRANT.—1 = Town; 2 = Propios; 3 = Suertes; 4 = Realengas; 5 = Common Pasture; 6 = Common Woodland; 7 = River; 8 = Main Irrigation Canal.

B = 1 enlarged.



B. TOWN.—1 = Plaza; 2 = Jail; 3 = Church; 4 = Town House; 5 = Granary, etc.; 6 = Town Lots; S = Main Streets to Plaza; E = Ejidos = Commons; 7 = Custom House; 8 = Arsenal.

Thus the town proper was laid out for the erection of dwellings and for religious and political purposes. But in considering the Spanish pueblo it must be remembered that it included a large area, ten thousand varas square, of which the collection of houses represents but a small part. In this respect it resembled the New England town, as it included not only village lots but small farms of tillable soil, the commons, common pasture and common woodland.[1] Consequently there were, in addition to the town lots, five classes of lands to be considered in the formation of a town, as follows: First, there was a certain strip of land, called *ejidos*, lying on one side of the town, or else surrounding it entirely, which must be reserved for the convenience and common benefit of the colonists, where they might pasture a few milch cows or tether a horse.[2] In its use it bears a close resemblance to the commons of the New England town. The *ejidos* belonged to the town and could not be alienated from it except by royal order granting its occupation by new settlers.[3] It seems that this was one method employed to allow the town to expand after all of the lots of the original survey had been taken. Although the laws are explicit in guaranteeing to each pueblo *ejidos* assigned out of the public domain, there seem to have been differences of opinion and of usage at different periods concerning their disposal.[4]

It was held by Gutierrez that the *ejidos* must be maintained as vacant suburbs for pasturage of cows and horses and for ventilation, walks and alleys, but could be sold, if necessary, by the town for building lots.[5] Dwinelle and Hall each assert that the Spanish law resembles that of the ancient

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[1] See Fig. 1 A.

[2] *Recopilacion*, IV, VII, 7, 13, 14.

[3] Ibid, 13.

[4] Dwinelle holds that the term "*ejidos*," used in a general sense, meant all of the common lands attached to a town, but that it also had a particular meaning of "commons," as described above. Gutierrez gives the same explanation. Dwinelle, 32, 337.

[5] Dwinelle, 52.

Hebrews in regard to the "field of the suburbs," which says: "But the field of the suburbs (or pasture lands) of their cities may not be sold for it is their perpetual possession."[1] The situations of the Hebrew commonwealth and the Spanish monarchy were so widely different that little is to be gained by the comparison, although there is a striking resemblance in the law and the usage in both countries. The king of Spain being absolute proprietor of the land in theory and practice, all grants of public lands to towns gave to those towns the full right and title to the lands which the king could not revoke, although he might usurp these rights. Nevertheless, the grant to a town was not equivalent to a grant in fee simple but rather a guarantee of perpetual use. The grants to settlers were of similar nature, and consequently when the king granted the occupation of the lands to settlers it was a transfer of use only, and the king could maintain a right to allow the occupation of these towns by his own decree, although the town could not. Under Mexican rule Gutierrez assigns the right formerly held by the king to the town council.

Within the pueblo, and some distance from the village, were located the arable lands or *suertes* which were granted to the settler for the purposes of agriculture. These grants were provided for in the laws of the Indies to which the regulations of Neve apply more specifically. After the reservations of the land for town lots and for the suburbs were made, all of the remaining land was divided into two classes, the irrigable and the non-irrigable. One-fourth of the lands having been reserved for new settlers and another portion for the town, the remainder was divided among the first founders. If there were sufficient lands to allow it, each poblador received two *suertes* of irrigable land and two of non-irrigable, the latter suitable for pasture or crops without irrigation. As each *suerte* consisted of a lot two hundred *varas* square, every settler received, under favorable circumstances, about twenty-

[1] Dwinelle, 11; Hall, 52; *Leviticus*, XXV, 34.

eight acres of tillable land besides his own lot. All citizens were treated alike in the distribution of lands, and in this the Spanish colony differed from the Roman, in which land was allotted according to the rank of officers and civilians.

The conditions attached to the grants indicate the strong hold the king retained on the lands, for by the laws of the Indies, colonists were forbidden to sell or otherwise alienate their lands until after the fourth year of their occupation;[1] but this law must have been changed, for we find the regulations of 1791 forbidding, under any conditions, the disposal of land by sale. The houses and lands were to remain forever as a perpetual inheritance to the sons and daughters of the colonists, with the exception that the daughters should receive no land unless married to useful colonists who had received no grant. Although the lands were to be kept "indivisable and inalienable forever" the owner of the *suerte* might, if he chose, will it to one son, provided he be a layman. Another precautionary measure asserted that the colonists and their successors could not impose upon the house or parcel of land allotted them, "either tax, entail, reversion, mortgage (censa, vincula fianza, hipotica) or any other burden, although it be for pious purposes." The penalty for failing to comply with this law was the entire forfeiture of the property in question. This law, in part, survived the revolution, for we find in the decree of 1824 that lands shall not be transferred in mortmain.[2]

Among other conditions of grants worthy of notice is that within five years after his first occupation each settler must possess two yoke of oxen, two plows, two points, two hoes and other instruments for tilling the soil, and by the end of three years he must have a house entirely finished and "supplied with six hens and a cock."

The colonists were forbidden to kill any cattle granted them, or their increase, within the first five years, but sheep and goats might be disposed of at the age of four years. The

[1] *Recopilacion*, IV, XII, 1.

[2] Halleck's *Report*, 140.

penalty for the breach of this law was the forfeiture of the amount of a year's rations.[1] The colonists were exempt from the payment of all tithes or any other tax on the products of the lands and cattle given them, provided that within one year from the date of settlement they build a house to live in, construct a dam for irrigation and set out fruit or other trees on the boundaries of their possessions. But the community must complete, during the third year, a store-house to keep the produce of the public sowing, and within the fourth year suitable government buildings. Also from the third to the fifth one almud (one-twelfth of a fanega, or one peck) of corn must be given by each poblador for the sowing of the public lands and these lands must be tilled, the grain harvested and stored by the labor of the settlers. These were forms of municipal taxation and the harvested grain was stored as public revenue. But after the expiration of said term of five years the new pobladores and their descendants will pay, in the acknowledgment of the direct and supreme dominion which belongs to the sovereign, one-half of a fanega[2] of Indian corn for each *suerte* of cultivable land.

The colonists of the civil establishments of California formed in no respect a community where goods and property were held in common, but there were connected with the founding of the towns several characteristics which are marks of the old village community. Within the four square leagues of land included in the pueblo grant there were reserved for sale and permanent occupation a common pasture land and a common woodland which were secured to the settlers by law. The pasture land was necessarily limited, but as it was established by law that each pueblo be located at least five leagues from every other village or settlement, there was sufficient room for the pasturage of the large herds outside of the pueblo limits.[3]

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[1] Neve, Sec. 12.

[2] One bushel; a fanega being about two bushels.

[3] *Recopilacion*, VII, IV, 14.

These lands outside belonged to the king but they could be used by the inhabitants of the town; in fact, the great pasture fields (*dehisas*) were guaranteed to each town.[1] On these the large herds belonging to the inhabitants of the town, usually roamed without any special limits of territory except that of convenience. Other property set apart for the common good of the community was the royal lands (*realengas*); these were devoted to the raising of revenue for the support of the town government. Portions of these were set apart and assigned to the care of the town council and were consequently called "*propios*" or the estates of a city corporation. These lands were to be leased to the highest bidder, for a term not exceeding five years, and the proceeds of the rental were used to defray the city expenses in lieu of taxes.[2] The *ayuntamientos* had full control of these lands and fixed the minimum price of rent and conducted the rental. Not all of the expenses of the town government were met in this way, but sufficient to relieve taxpayers.

The fact of a government, having sole right and title to the land, founding a town in a new country, and reserving a part of the public domain to defray the expenses of city government and thus lessening taxes, appeals to our sense of justice and is a subject for the consideration of the modern political economist.[3] Since it would not be well to free entirely a people from taxation, the above method is a legitimate and rational way of lightening the enormous burdens of taxation that fall upon the people of large cities.

Another very important grant of land was termed a sitio (site), which in its primary legal sense, meant the individual grant of a square league of land. It obtained a general signification as applied to all of those grants of land made to individuals outside of the pueblo for the purpose of rearing

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[1] *Ibid.* [2] Dwinelle, 8, 51.

[3] There is a parallel to this law in the Hebrew custom of reserving certain lands for them that serve the city. *Ezekiel*, 48, 18.

cattle. It is through this process of obtaining land that the extensive Spanish grants in California originated. The sitio gradually increased in size until under Mexican rule the law fixed the maximum grant that might be made to a single person at eleven square leagues of land, or about seventy-one and one-half square miles, or very nearly two legal townships. The regulation of 1824 provided that no person should be allowed to receive a grant of more than one square league of irrigable land, four superficial ones dependent upon the seasons, and six superficial ones for the purpose of rearing cattle.[1]

In 1828 the maximum amount of grants to a single individual was, of irrigable land, two hundred *varas* square, of land dependent upon the seasons, eight hundred *varas* square, and for breeding cattle twelve hundred *varas* square.[2] The legal titles to these Spanish grants have been the source of a great deal of legislation in the California courts.

Having thus outlined the method of colonization as established by law, it remains to give a brief description of the few examples in history of the application of these laws in California. Like all laws, and especially like Spanish laws of the period, we shall find that they were far more exact in theory than in practice. Philip de Neve was governor of Lower California, with a nominal supervision of Upper California prior to the year 1775, when a royal order directed him to take up his residence at Monterey as governor of the province, and Rivera, then at Monterey, to return to Loreto to act as lieutenant-governor.[3] The order was repeated the following year and the change was directed to be made at once. Philip de Neve believed in making permanent settlements of Spanish people (gente de razon) in the province, as the only means of successfully holding the territory against the encroachments of foreign nations. He also had the courage to undertake measures for the encouragement of agriculture,

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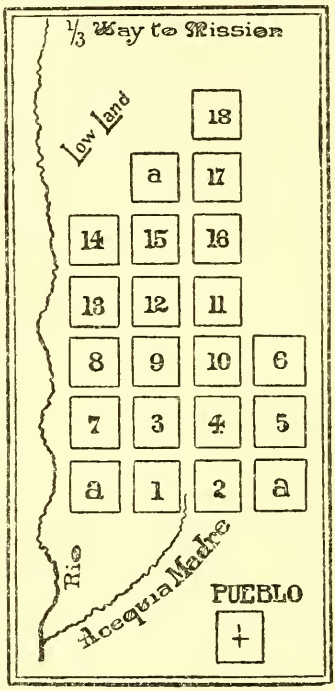
[1] Halleck's *Report*, 139.
[2] Hall, 142.
[3] Bancroft, *California*, I, 307.

commerce and other industries, trusting to receive the royal sanction of his actions. Having resolved to form a pueblo he proceeded to establish San José according to law, and then reported to the Viceroy what had been done, which in turn

FIG. 2.



MAP OF SAN JOSÉ.

Bancroft, *California*, I, 350.

a, a, a, = Realengas. 1, 2, 3, etc. = Suertes.

was communicated to the king and received his royal sanction. In his communication to the Viceroy in 1776, before leaving Loreto, he had recommended the sowing of certain fertile lands for the purpose of increasing government supplies.[1]

[1] Bancroft, *California*, I, 311.

After taking a survey of Alta California he concluded that his object could only be obtained by founding two pueblos, one at Los Angeles and one at San José. He therefore asked the authorities for laborers and necessary supplies for this purpose, but without waiting for a reply he took nine soldiers from the presidio of Monterey who knew something about farming, and with five other settlers proceeded to the Guadalupe river and made an informal settlement of San José in 1777. Five years after Don Pedro Fages, then governor of California, ordered Don José Moraga, lieutenant-commander of San Francisco, to go to San José, and in accordance with the royal regulations, to give in the name of the king, full possession of the lands to the nine pobladores, residents of San José.[1] It would seem from this and the method pursued in the founding of Los Angeles that it was customary to consider the contract with the settlers formally closed after five years of occupancy, when the settlers went into full possession of their rights.

The commissioner placed each settler in formal and legal possession of the soil and located all of the public lands according to his best judgment, always complying with the regulations of Neve.[2] The commissioner chose two witnesses and proceeded with the nine settlers to the land, and in the presence of all located each man's grant. Each title was signed by the two witnesses, and the one to whom the land was granted, and then forwarded to the governor to sign.[3] A copy of the deed was held by the settler and it was properly recorded in the register of the city council or "book of colonization." Each colonist received one house lot, (solar) and four *suertes* for cultivation. Soon after the site for the town had been selected and the land surveyed, houses were constructed for the colonists.

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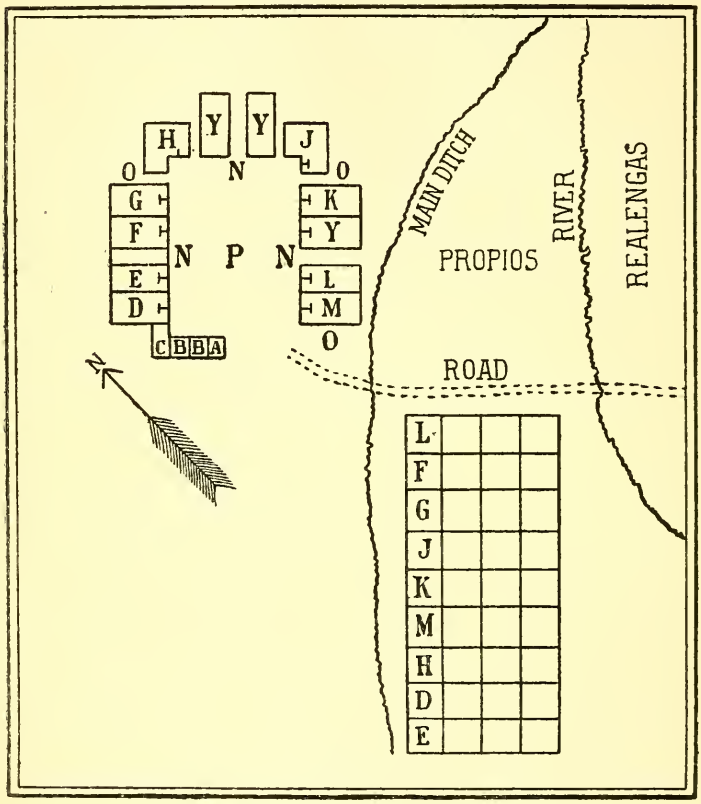
[1] Hall, 25.

[2] The settlement of a colony by a commissioner resembles the Roman method of sending out the colony in charge of the *agrimensor* or of three magistrates. Livy, XXXII, 29.

[3] Hall, 26.

They were at first very rude, being constructed of palisades or posts driven in the ground and plastered with clay and roofed

Fig. 3.



Map of Los Angeles, 1786.

Bancroft, *California*, I, 348.

A = Guard House. C = Trozo del posito.
B = Town Houses. D, E, F, etc. = Town Lots (solares).
L, F, G, H, etc. = Suertes.

The map of the pueblo (P) is on a scale five times greater than that of the fields (L, F, G, etc.).

with poles and earth or with tiles. These rude structures were not greatly improved for many years when they gave

away to more substantial dwellings of adobe. It is difficult to realize as one walks the streets of the magnificent modern town of San José that its first foundation was represented by a few inferior mud-bedaubed cabins. After the construction of the houses for shelter, a dam was thrown across the river and ditches constructed for irrigation. The town was situated on an eminence by the river and near it the *ejidos* were laid out fifteen hundred *varas* long and seven hundred *varas* wide. On the other side of the river a tract nineteen hundred and fifty-eight *varas* long was measured for *realengas* and *propios*.

In the foundation of Los Angeles the instructions of Neve reveal several methods of procedure not given in the foundation of other towns. After the selection the next step was to select a suitable place for a dam, before the most suitable lands could be selected for cultivation. The plaza of the town must be two hundred by three hundred feet, and from it two streets open out on each of two opposite sides and three on each of the other two sides.[1] The solares were authorized to be twenty by thirty *varas* and their number equal to the number of available *suertes*. On the east side of the plaza the public lots were reserved for public buildings. In selecting lands the pobladores shared equally as to the number and they cast lots for position, according to an ancient law.[2]

Notwithstanding the liberality and care of the Spanish government to establish colonies the pueblos were not successful. They continued an insignificant existence for a period of nearly twenty years when the question of peopling the country was again agitated, on account of the French, English and American explorations on the Pacific coast. The sudden agitation resulted in a determination to create a new settlement on an improved plan and led to the founding of the villa of Branciforte (Santa Cruz).

The plan of the town of Branciforte partook somewhat of the nature of a presidial pueblo, although the cultivation of

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[1] Bancroft, I, 345.

[2] *Recopilacion*, IV, VII, 7, 13, 14.

the soil and the practice of industries were associated with the defence of the country. It was to be situated on the coast and resembled in design the old Roman military town constructed for the defense of the frontier, but in real existence Branciforte was but a third-rate pueblo. An attempt was made to form a town of a higher class than those already established, consequently the governor requested the Viceroy to send robust country people from temperate or cold climates to engage in farming, and artisans, smiths, carpenters, stonecutters, masons, tailors, tanners, shoemakers, tilemakers and sailors.[1] The inducements held out to the settlers were very favorable. Each civilian was to receive one hundred and sixteen dollars annually for two years and sixty-six dollars annually for the remaining three years, besides a house, live stock and farming implements. Each soldier was to receive a house, a year's pay and a supply of live stock and farming implements. A peculiar feature of the laws for the settlement of Branciforte was the order to grant every alternate house lot to an Indian chief, who, living among citizens, officers and soldiers, would thus become accustomed to civilized life and lead his tribe to adopt the laws and customs of *gente de razon*. This is evidence that the original plan of the Spaniards to unite the two races in the possession of the soil had not yet been abandoned. The greatest difficulty in the way in this particular instance was that there were no Indian chiefs in that locality.

The first colonists were to come from the surplus populations from San José and Los Angeles and subsequently the artisans and soldiers were to arrive. The rules made for the government of the colonists were very fine, indeed. They were enjoined to live in harmony, to refrain from drunkenness, gambling and concubinage.[2] The penalty for neglect to attend mass on holidays was three hours in the stocks; prayer and the rosary must close the day's labor; the annual

[1] Bancroft, *California*, I, 568.

[2] Bancroft, *California*, I, 569.

communion and confessional must be attended and certificates must be forwarded to the governor that these requirements had been met.

It would seem that these liberal inducements and fair prospects would bring an industrious and thrifty class of settlers to found a thriving town, but with all of this the villa was a failure, and the colonists, if not a criminal class, were at least a worthless class. The commandante Guerra, writing to Arrillaga, said that to take a charitable view of the subject, their absence "for a couple of centuries, at a distance of a million of leagues, would prove most beneficial to the province and redound to the service of God and the glory of the king."

There were many things that caused the failure of the civil colonies in California, but none greater than the character of the majority of the colonists. The class of thrifty pioneers seeking homes, so notable in the English colonies of the Atlantic coast, was wanting. Spain had a minimum of this class and they were needed at home. On the other hand, the policy of shipping criminals to a new country was suicidal to the interests of the colonies and to those of the parent country. The colonies on the Atlantic coast had common cause of complaint on account of the same practice, but they were more fortunate than the Spanish colonies in this respect. The majority of the colonists of New England came to build homes, to accumulate property, to engage in industries and to establish civil and religious liberty. A great purpose dominated their entire life and controlled every adventure. Without assistance from the government they wrought out their own destiny by the master-stroke of toil; they were true founders and builders. On the other hand, the Spanish colonists were given lands upon which to build, lands to till, live stock, tools and rations and then paid a salary to occupy territory and live a life of ease and laziness. The close proximity to the domesticated Indians, who could be either hired or forced to work, had a tendency to degrade all labor. Nearly all of the labor was done by the neophytes, who were given a certain per-

centage of the crops for tilling the soil or were hired from the padres at the missions. There were many other difficulties in the way of success; there was no market for produce and but little commerce; the general policy of Spain in the treatment of her colonies was detrimental to the best interests of the provinces. The colonies were for use, and though recognized as an integral part of the kingdom there was a continual process of subordination of the interests of the colonies to the interests of the home government. And all of this was carried on with mistaken notions of advantage. The chief officers controlling the provinces were sent out from Spain by appointment, and they carried with them an abundance of legislation, which always tended to suppress any tendency toward freedom or self-government.[1] The religious orders were first in the field and always zealous and aggressive. They monopolized the products of Indian toil, appropriated the best lands and opposed the civic communities. Under these circumstances of constant discouragement it is little wonder that Spanish colonization was a disappointment and a failure.

The local administration of the provinces was represented by the pueblos which were the units of local government. The decree of Philip II provided that the pobladores of the colony should elect their own magistrates; that is, alcaldes of ordinary jurisdiction and members of a town council.[2] In accordance with this act Philip de Neve, with the approval of Carlos III, provided, that for the good government of the pueblos, the administration of justice, the direction of public works, the distribution of water privileges and carrying into effect the regulations of the governor, they should be furnished with ordinary alcaldes and other municipal officers in proportion to the number of inhabitants. It was provided in this law that the governor should appoint the alcaldes for the first two years, and for each succeeding year the people should

[1] Merivale, 11.

[2] *Recopilacion*, V, III, 12.

elect their own officers. But the regulations of local government in California under Spanish dominion are based upon the provisions of the Spanish Constitution of March 19, 1812, and the decrees of the Cortes in 1812 and 1813.[1] These laws became effective in the departmental and local government of the provinces, but had little authority in California until after the Mexican revolution. It was enacted that every pueblo should be governed by an ayuntamiento, composed of alcaldes, regidores and syndicos, (city attorneys) and that the alcalde should be president of the council, or if there be more than one alcalde the first one elected should be president. Every town, of at least one thousand souls, must establish an ayuntamiento. Each year, in the month of December, the citizens of the pueblo were to meet and choose electors, who should, in the same month, elect the requisite number of officers. The duties of the ayuntamientos were clearly specified. Among other things they were to care for the comfort and health of the people, provide for raising taxes, charities, public highways, the encouragement of agriculture, trade and other industries; in fact, they were to attend to all of the "politico-economic" affairs of the town.[2]

The decrees of the Cortes gave more specific directions for the municipal administration. The ayuntamiento was composed in its simplest form of one alcalde, who was mayor and president of the council, and a limited number of councilmen. Section four of the decree of 1812 asserts that "there shall be one alcalde, two regidores and one *procurador-syndico* (city attorney) in all towns which do not have more than two hundred inhabitants;" in towns having more than two hundred and less than five hundred inhabitants the number of regidores (councilmen) shall be increased to four; in towns having above five hundred and less than one thousand there shall be

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[1] Cf. Moses, *Establishment of Municipal Government in San Francisco*, 12; Hall, 102.

[2] Schubert, *Verfassungs Urkunden*, II, 44, *et seq.*

six councilmen; in towns having over one and less than four thousand inhabitants there shall be two alcaldes, eight councilmen and one *procurador-syndico*, and in the larger towns the number of regidores shall be increased to twelve. In the capitals of the provinces there must be at least twelve regidores, and should they possess over ten thousand inhabitants their number must be sixteen.[1] The official term of an alcalde was one year, the time fixed by Philip II. The term of the city attorney was the same, and that of the councilmen was two years.[2]

The number of electors chosen by the people to elect the town officers were apportioned as follows: Towns having less than one thousand people were entitled to nine electors; those having more than one and less than five thousand were entitled to sixteen, and those having more than five thousand were entitled to sixteen electors. To avoid confusion which might occur in large towns or sparsely settled districts, each parish might choose the number of electors to which it was entitled according to population, at least one elector being allowed to each parish. Small towns, having less than one thousand inhabitants, and in need of town councils, must apply to the Deputation of the Province, which may in turn apply to the governor for permission to establish an ayuntamiento, and all other towns must attach themselves to the nearest ayuntamiento or to the one to which they previously belonged. Thus the pueblo system formed a complete local government.

The above laws remained in force until repealed in 1850. However, changes were made in regard to the basis of population and also in 1837 to the general provincial regulations of towns. This law of 1837 provided that, "the capital of the department, ports with a population of four thousand inhabitants, interior towns of eight thousand inhabitants, towns which

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[1] Section 3, decree of 1812; Hall, 103.

[2] Moses, 13.

had ayuntamientos previous to 1808 and those to whom the right is given by special law shall be entitled to ayuntamientos or town councils."[1] The number of town officers must be determined by the departmental legislation acting in concert with the governor, but the number of alcaldes, regidores and sindicos could not exceed six, twelve and two respectively.[2]

The chief results of the laws of 1837 were to strengthen the central government and to detract from the powers of local government. The province was managed by a governor, a department legislature, prefects, sub-prefects, ayuntamientos, alcaldes and justices of the peace. The ayuntamientos were responsible to the sub-prefects, the sub-prefects to the prefects, and the latter to the governor; and they had charge of the police, health, comfort, ornament, order and security of their respective jurisdictions. Their duties were carefully specified. They were to supervise the food and liquor, to insure its good quality, to care for drainage, hospitals, prisons, etc.

The duties of the alcalde in California were multifarious, although he was of more importance in the local government of old Spain, where he was the chief officer of the local government. But in California he was arbiter of disputes and was in duty bound to settle difficulties and to prevent, if possible, cases coming into court.[3] His function was judicial, in that he tried cases which were subject to appeal to the royal audiences. His duty was also administrative, as he executed the decrees of the governor. Sitting at the head of the council he had to do with the politics and economics of the town, and in addition he combined the function of police judge with those of policeman and constable.[4]

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[1] Sec. 5, Art. I; *Debates in the Convention of California*, Appendix V, Art. III.

[2] Section 5, Art. III.

[3] Cf. *Mining Camps*, Chas. H. Shinn, 83, 104.

[4] *Recopilacion*, V, III, 1, 2.

Presidial Pueblos.

But little space remains for the discussion of the third method of colonization by means of the fortress, but a few of its important features will be represented here. As has been already stated the Spanish presidio is a survival of the old Roman presidium and we find a tendency toward the growth of towns around the fortresses in the Spanish as well as the Roman provinces. Although the object of the Spanish fortress was the same in general as that of the Roman, namely, to people and guard the frontier, yet the employment of priests by the government to carry on a "spiritual conquest" necessitated the establishment of garrisons for the protection of the missionaries.

The part that Christianity played in the settlement of the territory and the civilization of the natives introduces an entirely new element.

There were only four presidios in Alta California prior to the American conquest, and the process of the formation of towns about them was so slow that they figure more as mere bastions of defence than as the centers of towns. Their connection with the missions in protecting the missionaries against the natives caused a constant strife between the soldiers and the priests, and the strong influence of the latter brought to bear upon the garrisons rendered the development of presidial towns very slow. The friars always assumed complete control of everything connected with the colonization and could brook no opposition to their opinions and methods; at first they claimed entire control of spiritual affairs and finally as they grew stronger, they claimed the right of administering the temporalities.[1] They soon claimed all the available pasture land within reach of the missions for their flocks, and resisted any encroachment upon this. They even disputed the right to locate the King's farm, always making the plea that the

[1] Cf. Humboldt, *New Spain*, II, 294.

rights of the natives must be maintained. It was well that the natives had some one to plead their cause, but the friars frequently carried their claims to a ridiculous extent.

At first the presidios, like the missions, were usually temporary structures, but were improved from time to time. Although the Spanish law was very precise and the plans of settling uniform, the slow progress of the Spanish frequently permitted one portion of a fortress to decay while another was being built.[1] The following description of the Spanish presidios, from De Mofras, best shows their nature: "All of the presidios were established on the same plan. Choosing a favorable place, they surrounded it with a ditch twelve feet wide and six feet deep; the earth of the ditch served for the outwork. The enclosure of the presidio was formed by a quadrilateral about six hundred feet square. The rampart, built of brick, was twelve to fifteen feet high by three in thickness; small bastions flanked the angles. Its armament consisted of eight bronze cannon, eight, twelve, and sixteen pounders.

"Although incapable of resisting an attack of ships of war, these fortifications were sufficient to repel the incursions of the Indians. Not far from the presidios, according to the topography of the land, was an open battery pompously styled the castle; within the enclosure of the presidio was the church, the quarters of the officers and soldiers, the houses of the colonists, storehouses, workshops, wells and cisterns. Outside were grouped some houses, and at a little distance was the king's farm (El rancho del Rey) which furnished pasturage to the horses and beasts of burden of the garrison."[2] De Mofras follows with a description of the condition of the soldiery, of their grotesque armor and of the monotonous life of the garrison.

The presidios of Monterey, San Diego, Santa Barbara and San Francisco were centres of presidial or military districts

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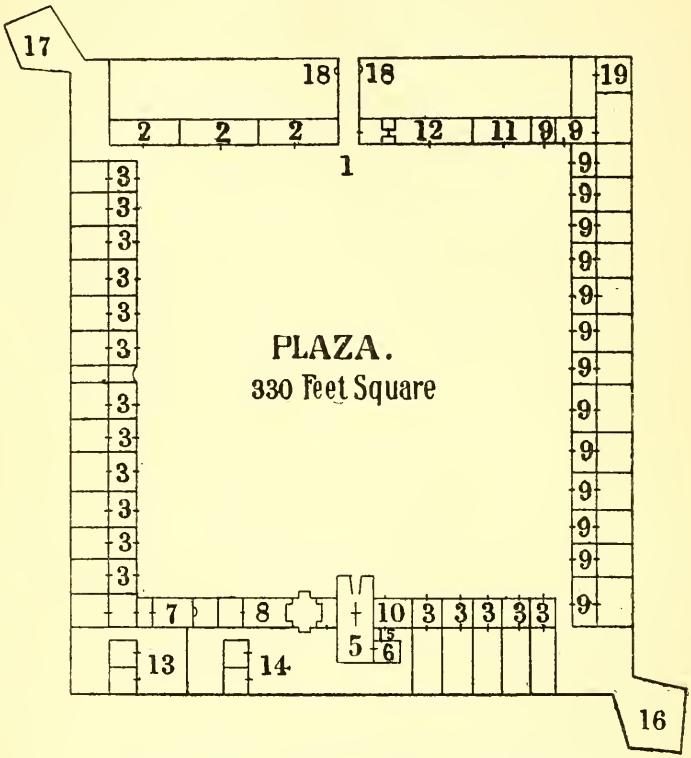
[1] Cf. *Vancouver's Voyage*, II, 495.

[2] De Mofras, I, 276. See Figure 4.

down to the close of the eighteenth century. A few inhabitants had taken up their residence in the vicinity or in imme-

Fig. 4.



Plan of Santa Barbara Presidio, 1788.

Bancroft, *California*, I, 464.

1 = Chief entrance.
2 = Store houses.
3 = Family houses.
5 = Church.
6 = Sacristy.
7 = Ensign's quarters.
8 = Commandant's rooms.
9 = Family houses.
10 = Chaplain's rooms.
11 = Sergeant's house.
12 = Guard room.
13 = Corrals, kitchens, etc. (ensign).
14 = " " (commandant).
15 = Chaplain's corral.
16 = Western bastion.
17 = Eastern bastion.
18 = Corrals.

diate connection with the fort, but they occupied for the most part houses outside of the presidial wall. Although the presidio

was entitled to four square leagues of land for the establishment of a presidial pueblo there were few specific instructions for the settlement of the pueblo prior to 1791. Instructions given by Bucareli, Viceroy of Mexico, to the commandant of the presidio empowered him to grant lands to Indians who would devote themselves to agriculture and the breeding of cattle, and to other settlers, lands on the same condition.[1] Settlers must keep themselves armed and in readiness to assist the garrison of the mission in repelling invaders.

This law applies especially to the missions, but might apply to the presidios as well. The first explicit instructions pertaining to the formation of a presidial pueblo were given by Pedro de Nava, general commandant.[2] He authorizes "captains of presidios to grant and distribute house lots and fields ot soldiers and citizens who may solicit them to fix their residences on." These lots were to be granted within the extent of four common leagues of land belonging to the presidio; the four leagues were to be measured from the center of the presidio, two leagues in every direction.[3] "There is no clear evidence," says Bancroft, "that any such grants were made."[4]

In 1794 Arrillaga gave permission to several persons to settle temporarily on the Rio de Monterey, from three to five leagues from the presidio. Governor Borica opposed the granting of lands to Spanish settlers, as it could not yet be determined what lands the missions would need, and because it would cause strife between the owners and the rancheria Indians.[5] He therefore recommended that settlers of good character should have permission provisionally to

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[1] Halleck's *Report*, Appendix I.

[2] Dwinelle, 34; Bancroft, *California*, I, 610; Halleck, Appendix 3.

[3] This is a mistake, for two leagues in every direction would make sixteen square leagues. Los Angeles, under this law, claimed sixteen leagues, but the claim was not recognized.

[4] Bancroft, *Cal.*, I, 611. [5] *Ibid.*

occupy the land. However, the soldiers, with their families, and other settlers continued to multiply around the presidios, and small towns sprang up. The number was augmented by pensioned soldiers who settled in the vicinity of the fort. Thus, we find that there were, in 1795, at Santa Barbara, seventeen pensioners, fifty-nine soldiers and two hundred and ninety-four other inhabitants, making three hundred and seventy persons in the population of the presidio. Although there was no *rancho del rey* at Santa Barbara there were four thousand horses and cattle and six hundred sheep, and the yearly product of grain in 1797 was sixteen hundred and fifty fanegas.

Although the presidio of Los Angeles was the first established, those of Monterey, Santa Barbara and San Francisco assumed greater importance. In the early period Monterey was of the greatest importance on account of its being the capital of the province, but subsequent history has developed the greatest interest about San Francisco, a place whose importance the Spaniards were slow to recognize. Prior to the year 1834, San Francisco, including the pueblo, mission, and presidio and all of the settlements, was under the control of the military governor and the commandant of the presidio. A small village or pueblo had grown up between the mission and the presidio.[1] At this time the transition was made from a military to a civil government. The territorial governor, José Figueroa, wrote to the commandant at San Francisco, stating that the territorial council had ordered the partido of San Francisco, which included the government of the peninsula and the adjacent coasts, to proceed at once to elect a constitutional ayuntamiento, composed of one alcalde, two regidores and a sindico, the same to reside at the presidio.[2] Also the civil functions formerly exercised by the commandant should devolve upon the ayuntamiento whose jurisdiction extended over the affairs of the mission, the presidio and the pueblo, the

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[1] Moses, 18.

[2] Moses, 18.

commandant being limited to the military command alone.[1] Here, then, is a clear example of the conversion of a presidio into a civil pueblo according to law. There is one other famous record of the same method in what is known as the "Plan of Pitic," a royal order executed in 1789 for the formation of the town of Pitic in Sonora, Mexico, by the union of a presidio and a pueblo. This plan of Pitic furnished not only an example of the transition of a presidio into a presidial pueblo, with a limited jurisdiction to the military power, but it gave a plan for the formation of other newly projected towns. After this plan were founded the pueblos of Santa Barbara, San Francisco, and Monterey,[2] whose history, though very interesting, we cannot continue at present.

[1] Dwinelle, 48.

[2] Dwinelle, 31.

V-VI

THE STUDY OF HISTORY

IN

GERMANY AND FRANCE

JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE

HERBERT B. ADAMS, Editor

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EIGHTH SERIES

V-VI

THE STUDY OF HISTORY
IN
GERMANY AND FRANCE

BY PAUL FRÉDÉRICQ
Professor in the University of Ghent

Authorized Translation from the French by Henrietta Leonard, of Philadelphia

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EDITORIAL NOTE.

The French titles of Professor Frédéricq's papers are *De l'Enseignement Supérieur de l'Histoire en Allemagne* and *L'Enseignement Supérieur de l'Histoire à Paris. Notes et Impressions de Voyage.* The following translations were made, with Professor Frédéricq's approbation, by Miss Henrietta Leonard, A. B. (Smith College) of Philadelphia. It will be remembered that Miss Leonard also translated Professor Frédéricq's Notes and Impressions concerning Advanced Instruction in History in England and Scotland, published in the University Studies, Fifth Series, X, in October, 1887. Her translation of Frédéricq's Study of History in Belgium and Holland may be expected in the present series in the early summer.

In this connection, as contributing to the object of promoting historical studies in America, the editor begs to note the recent publication in the Papers of the American Historical Association, Vol. IV, Part 1, of President Charles Kendall Adams' Inaugural Address on Recent Historical Work in the Colleges and Universities of Europe and America. This address admirably supplements all previous contributions to the general subject and brings the whole account to the present time.

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HISTORY IN GERMANY.

Having obtained from the minister of public instruction leave to visit certain foreign universities for the purpose of investigating their teaching of history, especially in *practical courses*, I made two journeys in the cause, one in 1881 and one in 1882. The pages that follow are merely notes of these visits, not at all pretending to treat the numerous questions which are raised by the distinction between theoretical and practical courses of history. The reader must expect only impressions, which I have reproduced as faithfully as possible.

I.—The University of Berlin.

Omitting ecclesiastical and literary history, history of philosophy, law, arts and sciences, which furnish numerous professorships and numerous practical courses, history proper at the University of Berlin in the summer term of 1881 comprised the following courses: historical encyclopædics and methodology, Grecian paleography, Latin paleography, chronology of the Middle Ages, diplomatics, history of Assyria and Babylon, history of Athenian antiquities, sources of Roman history, military history of feudal times, sources of modern history from 1500–1815, modern history from 1648 to 1763, history of Germany from the Golden Bull to the religious peace of Augsburg (1356–1555), history of political institutions of Germany from the Golden Bull to the

suppression of the empire by Napoleon I (1356–1809), history of Prussia, history of the Seven Years' War, history of France —*sixteen* theoretical courses.

There were six practical courses under the direction of Professors Waitz, Droysen, Mommsen, Bresslau, and the tutors Koser and Delbrück. It must be remembered that the regular number of courses had been reduced by two or three on account of the death of Prof. Nitzsch. Compare this with the meagre program of our Belgian universities which contains, when all are told, seven purely theoretical courses: ancient history, Greek and Roman antiquities, mediæval history, modern history, history of Belgium and contemporary history; this last only since Easter, 1880, and as an optional course included only in the examination for *professeur agrégé* in history, a new degree created in November, 1880.

In the first place I will speak briefly of the theoretical courses I attended in Berlin. The most popular was that of Prof. von Treitschke on the history of France. It was given in a vast, isolated hall, built in the midst of the garden that lies behind the University, and called *Barakken-auditorium*, a name expressive of the architectural simplicity of the great scientific shed. This hall contains 25 long rows of seats; in each row 30 persons could easily be seated, thus making at least 750 auditors seated in the hall. In winter, they told me, the hall was filled at almost all the lectures given by Prof. Treitschke; during the summer term the numbers are smaller. There must have been about 300 at each of the two lectures I attended; among them I noticed one field-officer and a few old gentlemen, as at the Sorbonne, but the great majority were students.

This course of M. von Treitschke's is marvellous. The professor is completely deaf and never hears himself speak; his delivery is extremely monotonous; his voice anxious, sometimes harsh and choked like that of a deaf mute; there is no pause, not even for a second, between the different phrases or parts of a phrase; periods follow one another in close

succession, interrupted from time to time only by his breathing, which usually breaks a phrase in two without any logical reason; his gesture is always the same and his head shakes continually as if from some nervous affection. In spite of his expression of sympathy and majestic kindness, the first impression he makes is very strange. The visitor is inclined to ask how lectures thus given attract such an audience and win such renown throughout Germany.

But at the end of a very few minutes the stranger is under the charm. He forgets the voice, the gesture, the speaker himself; for these confused and anxious phrases, poured out in painful haste, are masterpieces. The listener is carried away by the originality and daring frankness of the ideas, the poetic beauty of their form and the generous warmth of feeling they express. He accepts the strange-sounding voice without further notice, just as one unresistingly submits to the inarticulate and outrageous speech of the Englishman who insists upon using his own mother tongue. The ear once accustomed, the listener sits spellbound up to the moment when M. Treitschke stops speaking with no other warning than his final silence. One ought thus to pass from the first disappointed astonishment to the succeeding enthusiastic admiration in order to appreciate the fascination of this unique course. I leave unmentioned the well-known reputation of this professor. Even those whom he crushes with his hardest criticisms still remain his most earnest auditors. There is, moreover, in his clear eye and his frank, expressive face a good faith that disarms in advance.

I shall long remember M. von Treitschke's lecture on France in the thirteenth and fourteenth centuries. Combining art, religion and politics, he spoke of the French cathedrals of the North and the South and gave a beautiful and strikingly true description of the splendid church of St. Ouen at Rouen. Then in a few words he pictured the naval battle of Sluys, in the midst of which, according to a poetic legend, the Black Prince, seated on a bowsprit, daringly sang a prophecy of the

maritime greatness of England. He then spoke of the popular movements in Paris after the defeat at Poitiers, the first appearance of those periodic convulsions of which the Commune was the latest. He compared Stephen Marcel with Jacques van Artevelde, *der Weber-König*—king of the weavers—and vividly described Ghent and Bruges. He then went on to speak of Pau, and of the Pyrenees, taking occasion to describe the magnificent landscape in view from the Château de Pau. Speaking of Isabelle of Bavaria, he called her "the Bavarian Brunhilde of the fourteenth century," etc. At every step he had a figure or word or picture, always graphic and apt. The last and finest part of this lecture was devoted to Joan of Arc, whom he warmly defended from the sarcasms of Voltaire, comparing her to Garibaldi in our century. "We must pardon such natures everything," he cried, "because they love much." This cold and colorless analysis gives but a faint idea of the charm of M. von Treitschke's extraordinary lectures.

According to the custom of German universities, M. von Treitschke gave two courses; one was free and public, this year on the history of France; the other, to which an admission fee was charged, treated the history of Prussia. This last course was attended by about 50,[1] and was marked by the same brilliant originality, although by less rhetoric, than that on the history of France. One lecture on Wallenstein, Tilly and Gustavus Adolphus was superb. The professor outlined, enthusiastically, the religious and political plans of the great Swedish king, described his death in vivid and even touching words, and spoke from personal remembrance of the tomb of the king in the noble church at Stockholm. One secret of M. von Treitschke's power is his knowledge of all the monu-

[1] One of them puzzled me greatly; holding in his hand a long instrument like a German pipe, he seemed to smoke with his right ear. I learned afterward that he was a deaf man who could hear the lectures by means of this singular apparatus.

ments, towns and battle-fields he speaks of, whose images he calls up in the best chosen words. He has a marvellous plastic power.

While M. von Treitschke is in all the vigor of middle life, M. Gustave Droysen is one of the veterans of advanced teaching in Germany. His courses also are of lively interest. I can see him still, holding in his hand a little blue notebook and leaning on a plain square desk, raised about a half yard above his chair. He commenced in a low voice, after the manner of great French teachers, in order to obtain complete silence. We could have heard the step of a fly. Leaning over his little blue book and turning upon his audience a look that almost shattered his eyeglasses, he spoke of the falsifications of history. It was in his course in encyclopædics and methodology. He spoke with profound disgust of the falsehoods retailed under the name of history, and his habitual expression of nervous discontent added much to the energy and pitiless fire with which he treated his subject, compressing his lips and emitting, from time to time, sighs of scorn and anger. Each moment brought a brilliant witticism, always sharp and biting, and eliciting a discreet smile from every listener. Sometimes he discharged a shot at a historic character, sometimes he jeered at a contemporary scholar, Schliemann, for example, or one of his colleagues, whom he called by name. He treated his subject with great originality, using abundant characteristic examples and diabolical humor, which he apparently wished to hide under a coldly comic manner of speaking. His lecture ended amidst a burst of Homeric laughter, provoked by an irresistible anecdote. I was never so much amused at a university lecture—not much to say, I admit—but, besides, I have rarely heard anything so serious and so solid. I was inclined to cry with Horace: *Omne tulit punctum qui miscuit utile dulci!*

But let no one suppose that all M. Droysen's lectures are pyrotechnic displays of wit, though he uses irony with rare

good humor, and his satirical style greatly enhances the real originality of his ideas.[1]

His course on modern history (1648–1763) was more elementary. As M. Droysen said to me, he was speaking to beginners; nevertheless I admired the caustic humor, the clearness and cleanness of his views, as well as the consummate ease with which the professor read his notes, as if using none. The theoretical course of M. Droysen's is counted among the best in Germany.

Another character at Berlin is Prof. Ernst Curtius, author of the poetic *Griechische Geschichte* which has delighted every specialist. Although thin and below the medium height, M. Curtius vaguely resembles M. Frére-Orban. He has a magnificent head; his features, of rare distinction, are lighted by a calmly radiant expression. He speaks slowly, piling up majestic images and weighing the great adjectives he needs to express all his admiration for Greece.

The hall in which he gives his lectures on Athenian antiquities seems to have been designed especially for the purpose. It is quietly decorated with antique casts, celebrated busts and bas-reliefs. Behind the professor's chair, fastened to the wall, is a great plan of Athens and a long panorama of the town, and of Attica with the sea and the hills sung by the poets. A little further away hangs a fine photograph of the temple of Theseus. All this lends particular attractiveness to the lecture and permits the professor to use the topography of the country. I heard him thus give an excellent lecture on the fortifications of Athens and the fortified walls which connect the city with the ports of Piraeus, Phalerum and Munychia.

Another lecture of M. Curtius's was entirely devoted to the history of Athenian ceramics, from the earliest vases in clay, naïvely marked with the signature of the potter, down to that

[1] I noticed that almost all the students were armed with the professor's manual, *Grundriss der Historik* (2nd ed., Leipzig, 1875), a curious and obscure work, which lacks the brilliant spontaneity of his lectures. [Johann Gustav Droysen died June 19, 1884.]

of the period of decadence, which M. Curtius aptly termed "the Attic rococo." He had brought a portfolio stuffed with drawings, chromolithographs, photographs and reproductions of all sorts, which he distributed amongst the pupils, to support his assertions. When the university clock sounded the hour, it was to the amazement of the whole class; so swiftly and so profitably had the time passed.

M. Curtius had appointed the afternoon for a meeting at the Museum of Antiquities, where he lectures each week on Greek and Roman Archæology. At his arrival the students who were waiting, loitering through the collections, saluted him in silence, and again put on their hats. M. Curtius remained covered also, and straightway commenced his tour of archæological demonstration. Armed with an ivory paper-folder he moved from object to object, explaining, pointing out the slightest peculiarities with the tip of his paper-folder, now standing on tiptoe, now kneeling, the better to complete his explanations. Once he fairly lay upon the ground before a Greek tripod. Supported on his left elbow, and with his right hand brandishing his faithful paper-cutter, he expatiated upon the elegant form and the ravishing decorations of this little *chef-d'œuvre*. It is easy to believe that lectures given with such enthusiasm, and by such a scholar, in a museum of the first rank, would be of great value to the students.

The lecture I heard was concerned with minor points, tripods, candelabra, vases in baked clay, etc.; but, notwithstanding, the professor infused into it a contagious enthusiasm and a perfume of antiquity.

They told me that when M. Curtius took up statuary he soared to the most majestic eloquence; I easily believed it.

Among the other regular professors at the University of Berlin who have attained fame throughout Europe, is the paleographer, M. Wattenbach. He is the most modest and amiable man imaginable. I attended one of his lectures on Latin paleography. Most of the students were provided with the professor's manual, *Anleitung zur lateinischen Palæographie* (3rd

edition, Leipzig, 1878). M. Wattenbach showed the peculiar characteristics of the writing of manuscripts of the fourth and fifth centuries of our era, frequently tracing upon the blackboard the letters of which he was speaking. His lecture was very scholarly, but it was given without the slightest ostentation and with charming good nature.

M. Bresslau is one of the ablest and busiest professors in the University. In the summer terms of 1881, he was giving a course in chronology, one in diplomatics and one in the history of the institutions of the ancient German Empire, besides his practical exercises which I shall mention later.

I could not attend M. Bresslau's lectures on chronology. He takes up the astronomical and technical part of the science, the divers calendars and eras, the problems connected with days, months, festivals and years; the students practice calculating obscure dates by means of a Julian calendar, which the professor gives them with the abstract of his lectures.[1]

I heard two of M. Bresslau's lectures on the history of German institutions. He passed in review the judiciary functions of the ancient German empire. In connection with each office he cited some of those who had filled it and gave a sort of biographical sketch of the most active of them. He spoke with great volubility, nodding his head and darting keen glances at his pupils through his glasses, whose continual sparkling seemed to add animation and encouragement to his words. The amiable and conscientious man continually cited sources and referred to monographs, accurately and methodically. He had an audience of about 60.

His course in diplomatics also seemed to me excellent. The pupils had in hand a collection of Latin charters, published by the professor himself under the title, DIPLOMATA CENTUM *in usum scholarum diplomaticarum edidit et annotationibus illustravit Henricus Bresslau* (Berlin, 1872). M.

[1] *Gundriss zu Vorlesungen über Mittelalterliche Chronologie*, by Harry Bresslau, 2nd ed. fac-simile, Berlin, 1881.

Bresslau commented upon and compared with one another several imperial charters of the Middle Ages, his pupils meanwhile examining the texts. He showed how very important historical consequences can be traced to certain words of an authentic document. He made a minute dissection of the imperial documents and with skilful hand developed results as solid as they were surprising. The pupil who follows such a delicate operation in its minute details must acquire not only sound ideas but, besides, a trustworthy method of using charters in the study of history. These students read the documents and frequently had to answer questions put by the professor. They were thus constantly on the alert and played an active part in the lecture, which was on the border line between didactic theory and practical exercise. I admired the inspiriting vivacity of the professor, transforming the dryest teaching to active and interesting work.

Dr. Koser, tutor (*privat-docent*), devoted four hours a week to the study of sources of modern history from 1500 to 1815. His lecture was full and very conscientious and I learned many things from it. M. Koser estimated correctly the worth of the principal authors who have written upon modern history. I heard him define very clearly the scope of the revolution brought about by Voltaire, who borrowed his new method in his letters on history, in part, from his friend, Lord Bolingbroke. M. Koser then passed in review the official historiographers and gave the history of this singular public function from the fifteenth century. Then he spoke of memoirs relating to modern history and criticised, among others, the *Commentaires* of Charles V, which M. Kervyn de Lettenhove discovered one day at Paris and published. This course of M. Koser's requires an immense amount of study and is an excellent guide for the students.

Dr. Seeck, a tutor, gave a course upon sources of Roman history. The lecture I attended had for its topic a most interesting question: the historical value of Polybius. M. Seeck treated his subject with great clearness, power and remarkable

warmth. Being little versed in ancient history, I dare not pass a fuller criticism. I was pleased to hear that M. Seeck is appointed *professeur extraordinaire* at the University of Greifswald.

All these theoretical courses made a vivid impression upon me; but it was the practical courses which struck me most and at which I fairly marvelled.

I regretted very much that it was impossible for me to attend the *Historische Uebungen* of Prof. Droysen and Prof. Mommsen; but these eminent scholars would grant me no admission. They excused themselves on the ground that their practical courses were open only to matriculates and that the criticism suffered there was too severe and pitiless to permit the presence of a stranger. I also regret that M. Mommsen did not give his theoretical course that summer, and I was thus altogether deprived of hearing the illustrious scholar.

I have no information concerning M. Mommsen's practical course, but it appears in the program under the title *Uebungen aus dem Gebiet der römische Geschichte, privatissime und unentgeltlich.* M. Droysen's was named, *Uebungen der historischen Gesellschaft, öffentlich.* (The last word seemed to me ill-chosen to express the professor's idea.) I am told M. Droysen proceeds as follows: At the beginning of each semester he indicates upon a blackboard, for his picked students, a series of subjects relative to one period, embracing not more than ten, twenty, or thirty years. Twice during the year he changes this field so as to cover during the course all modern history. The students work under his direction to settle vexed questions proposed by the professor, and submit to him papers, which are discussed and carefully criticised. They form thus an historical society, meeting M. Droysen once a week, from six till eight in the evening.

But if I cannot describe the method of M. Mommsen and M. Droysen, fortunately I have learned that of another prince of the science; M. Waitz, the celebrated successor of Pertz in the direction of the *Monumenta Germaniae historica*, very

kindly admitted me to his *historische Uebungen*, although the program named them as given *privatissime*. Formerly a professor at the University of Göttingen, and its glory, he is not a professor at the University of Berlin; but, as a member of the Royal Academy of Sciences, he has the right to teach there. He uses his right generously, giving a familiar practical course. He devotes two hours on Friday evening of each week to this work, and receives his pupils in his study.

M. Waitz is in all the vigor of robust old age (he was born in 1813); with his hair still unwhitened, he seems in the prime of life. His countenance beams with sovereign calm and dignity and marked affability. I cannot tell why he reminded me of an English lord, for he is a native of Holstein. Two mahogany tables were loaded with musty books; around these tables nine students were seated, and M. Waitz took his place upon a sofa near them and commenced the lesson. He was engaged upon a detail of the time of Charles Martel, which they were studying at the same time in the *Gesta Trevirorum*, the *Historia Remensis*, in Flodoard, in the *Vita Rigoberti*, etc. The students were laboring to determine, under Mr. Waitz's direction, to what extent these chronicles were copies one of another, and in what respects they differed. M. Waitz quietly and constantly put his questions, raised objections and came to the rescue of the floundering with perfect tact and unvarying serenity. The most ancient editions of the old chronicles were in the students' hands, intensifying the mediæval savor of this excellent course. Once, when one of the class made a new observation, M. Waitz cried out: "I have learned something myself on a subject I thought I had exhausted!" and drawing his little silver pencil from his pocket, he noted the matter upon the margin of his text. It was touching to see this illustrious old man, whose moments were every one precious, condescending with the utmost graciousness to teach the a b c of historical criticism to timid and inexperienced beginners, receiving them familiarly into his sanctuary, where we could see upon his desk great piles of proof of the *Monumenta* then passing through the press.

The remaining practical courses, directed by Professor Bresslau and by the tutors Koser and Delbrück, were given in the auditorium adjoining the University library, which is on the Dorotheënstrasse, a few minutes' walk from the academic buildings. This auditorium is a large hall, lighted on one side by three fine windows, its other walls tapestried with books. Several flat tables arranged in shape of a T are flanked by fifty chairs, furnishing ample accommodation for the practical courses.

The practical exercises of M. Bresslau are called *Uebungen der Historisch-Diplomatischen Gesellschaft.* This little historical society, analogous to Prof. Droysen's, was originated by Bresslau and is already seven years old. At first it met evenings at the professor's house and numbered only 18 students at most. The death of Prof. Nitzsch having removed one of the most important practical courses, M. Bresslau has temporarily admitted to his historico-diplomatic society the pupils of the deceased. The whole number is about 40. At the beginning of each semester M. Bresslau presents a list of doubtful questions that are to be cleared up. Each student chooses one of these questions and makes it the subject of a thesis which he submits to the professor before the end of the semester. Each thesis is examined by two fellow-students appointed by M. Bresslau, and they make a written report upon it. Finally it is debated orally before all the students.

The exercises take place on Saturdays from eleven o'clock till one. At two of the meetings M. Bresslau permitted me to be present. The pupils were provided with the octavo editions published by Pertz *in usum scholarum ex monumentis Germaniæ historicis.* They were just then upon the *Lamberti Hersfeldensis Annales,* which they carefully compared with the chronicle of Bruno, *De bello Saxonico,* and with other sources of German history at the end of the eleventh century. The appointed pupil had the floor, but the professor constantly put objections and urged the others to do the same. They continually consulted the statements of Prof. von Giesebrecht of

Munich in his great work. M. Bresslau directed the discussion with an air of amusement, putting in occasionally a piquant remark. His forbearance and pleasant familiarity gave a tone of reciprocal sympathy to the work. Sometimes questions and objections would pour together across the table, mingled with ejaculations from the sprightly professor: *Nein! nein!—Unmöglich!—Ach! ganz verkehrt!—Das ist richtig!* The poor chronicler Lambert was pitilessly dissected, and the amount of credence to be accorded him was clearly defined in these two lessons.

In M. Koser's practical course the subject was modern history of Germany, with the *l'Histoire de mon temps*, by Frederick the Great, as a foundation. Sixteen pupils attended the course. They compared the two draughts (1746 and 1775[1]) of these curious memoirs with the correspondence of Frederick II and of Maria Theresa, the diplomatic protocols and other contemporary documents. The appointed pupil had written out his critical observations and now read his work, which was quite extensive. From time to time he was interrupted and points were discussed. All the students had the texts before them. Among the copies which belonged to the students or had been procured at the public libraries of Berlin, was found the first edition of *l'Histoire de mon temps* published in 1788. M. Koser directed the discussions with modesty and great tact. He, too, met his pupils upon a footing of perfect equality. One of them declared that he had examined a certain point with profound scrutiny, whereupon M. Koser exclaimed, "Bravo! Now we shall have something interesting! You have the floor." And the student undertook with a sort of pride to unfold the results of his researches, which were immediately discussed in common. The most recent works, such as M. von Arneth's Maria Theresa, were discussed and some-

[1] *Œuvres de Frédéric le Grand: Œuvres historique*, Berlin, 1846.—*Frederic II, Histoire de mon temps, aus den Kön. Preuss. Staatsarchiven, IV.* Leipzig, 1879.

times corrected, copies in hand. One detail impressed me: professor and students translated at sight the French text of Frederick II, rendering every distinction and without first reading aloud the phrases they translated into German.

The title of M. Delbrück's practical course is, *Uebungen, Einführung in das Studium der Werke Ranke's.* Seven students attended it. It was devoted to a detailed study of the methods of the German prince of history, betraying in what veneration Ranke is held by the universities. I was present at a meeting where the subject was a comparison of the first chapter of Ranke's *Englische Geschichte* with the introduction to Macaulay's *History of England.* M. Delbrück, an enthusiastic admirer of Ranke, pointed out, with malicious satisfaction, the faults of his English rival. I was reminded of the curious articles by Prof. A. Pierson, of Amsterdam, which appeared in the Dutch review, *De Gids,*[1] where the author, comparing Ranke's work with Macaulay's, clearly brings out the superior impartiality and good judgment of the German historian. It seems to me that M. Delbrück, though developing his theme otherwise very justly, put into it a sort of nervous urgency that sometimes confused his pupils. It was, however, a most original course and one calculated to emphasize the multiple duties of a historian. I will conclude these remarks upon the University of Berlin with a few reminiscences which are especially dear to me. I wish to speak of the reception accorded me in the German capital by MM. Ranke, von Sybel, Waitz, Wattenbach and others, in short all the historians it was my privilege to meet.

Prof. Wattenbach, a pupil of Ranke, had assured me that the illustrious veteran took pleasure in the visits of historians of the younger generation and that he would receive me with great kindness, if I would visit him. I did not wait for a second assurance, but presented myself at the house pointed

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[1] *De Gids,* 1876–77. This review has been in existence since 1837 and is the most important of Dutch reviews. (Amsterdam, van Kampen en zoon).

out to me, *Louisenstrasse* 24ª. I was ushered into a room furnished in the style of 30 years ago and decorated with family portraits and objects of art; among them were a fine oil portrait and a well-executed bust of Ranke himself, gifts of his grateful pupils and admirers. After a few minutes of waiting, there entered a little old man, his abundant hair scattered in disorder and falling all around his magnificent forehead; a white beard, equally luxurious, covered the lower part of his face, and his eyes, under their heavy gray brows, were extraordinarily deep and kind. M. von Ranke was wrapped in an old gray dressing gown and received me, without ado, in a charmingly paternal manner, as if I had been an old pupil. He spoke affectionately of Altmeyer, of M. Gachard and of his other scientific friends in Belgium. For my part, I asked about his universal history, the first volume of which he was issuing, and he proved himself full of hope for the completion of this gigantic work, courageously undertaken so late in life.[1] I spoke of the articles by M. Pierson, of which M. Delbrück's lecture had put me in mind. He was unacquainted with them and seemed flattered by the judgment passed upon his History of England, but he took up with spirit the defense of Macaulay. Then he talked pleasantly with me of Belgium, "that good country which he remembered so well." At the door he took my hand, saying, "*Nun, lebewohl, und schreiben Sie schöne Bücher.*" I shall not forget this short and touching visit. I understood from this gracious reception of a young and nameless stranger, the influence that Ranke has exercised upon his many pupils, creating in them the deepest reverence.

I had a letter from my excellent colleague at Liége, M. Émile de Laveleye, to M. Heinrich von Sybel, the actual direc-

[1] Leopold von Ranke was born in 1795. He is loaded with well-merited honors and is professor at the University of Berlin, but he no longer gives lectures: *Liest nicht* accompanies his name on the university program. His portraits and his bust represented him without beard and with his hair of medium length. [Ranke died May 23; Waitz, May 24, 1886.]

tor of the royal archives of Berlin. The author of a *History of the Period of the French Revolution* received me with the greatest kindness, and permitted me to question him at will upon the origin and development of practical courses in history in German universities. Seating himself familiarly near the sofa where he had placed me, he undertook to relate minutely how Ranke had originated this new method of teaching nearly fifty years before, and how his pupils had propagated the prolific system throughout Germany. I took notes as he spoke, and he would pause from time to time for my convenience. I shall have occasion later to utilize these valuable hints.

I was very anxious to know his opinion of M. Taine's work; he replied quite at length and referred me to his study published in 1879 in the *Deutsche Rundschau*,[1] which has since been included in his *Historische Schriften*. I read it next day at the University Library and I was struck with the clearness and moderation of his criticism.

M. von Sybel is a white-haired man of fifty. He wears a short white beard, and his face, in color like fine yellow vellum, is seamed with long wrinkles. His eyes, which he sometimes half closes with an expression of paternal good will, sparkle with benevolence. It seemed to me that he had something of the bizarre and democratic breeding of a "self-made man" of the United States.

I have already spoken of M. Waitz and his practical course. He received me most cordially both at Berlin and a little later at Dantzig, at the congress of the society for the history of the

[1] In the October number, 1879, M. von Sybel, reviewing the first two volumes of M. Taine's work, praises them highly although he criticises the Frenchman's systematic neglect of German works. M. von Sybel remarks that Taine, like De Tocqueville, appreciated the weak side of the revolutionary centralization but shut his eyes to its advantages. He observes, with a touch of irony, that his opinion expressed twenty years before in his *Geschichte der Revolutionszeit*, and so ill-received in France at the time, is corroborated in M. Taine's book. He points out also some errors. The study is very able.

Hanseatic towns. He spoke of the work of my colleague at Liége, M. Godefroid Kurth, of MM. Gilliodts-van Severen, Limminghe, Ruelens, Alph. Wauters, and Stanislas Boormans. He related casually a little incident of 1880. Needing for the *Monumenta* a manuscript kept at Tournai, he asked for the use of it, never doubting that the answer would be favorable, since Belgium, as he was pleased to say, always stood ready to aid the work of German scholars. But the municipal administration at Tournai, in consenting to the loan of the MS., demanded a deposit of 25,000 francs. M. Waitz preferred to make the trip to Tournai to study the famous document in its stronghold, without paying the deposit. What was his astonishment, upon reaching Tournai, to find that this jealously guarded MS. was to be forwarded to Brussels for the National Exposition. M. Waitz continued his journey to Brussels, and there M. Ch. Ruelens, learned guardian of the manuscripts of the Royal Library, immediately furnished him the document, permitting him to study it at pleasure in his hotel room, far from the jealous eye of the Tournaise officer. While narrating this story, with amusing details, M. Waitz gave me much information upon the practical work in history which well completed that of M. von Sybel.

I owe also to the Professors Wattenbach and Bresslau, M. Koser and M. Paul Bailleu, secretary of the royal archives,[1] acknowledgment of the kindness they showed me during my

[1] M. Paul Bailleu told me that his ancestors were Walloons, who had emigrated to Germany in the sixteenth century to escape the tyranny of the Duke of Alva. At first they settled at Mannheim on the Rhine, but had to flee a second time during the frightful devastation of the Palatinate by Turenne. With other families from the Netherlands they then took refuge in Magdeburg, and there is to-day a Protestant Walloon community in that city of about 1000 members, in which there is sometimes preaching in French. Two other little Walloon churches still survive in Germany, one of which is at Frankfurt. M. Bailleu told me also of a visit he had made in 1880 to the records of Brussels, and of the friendly reception he had met from Piot, Pinchart, Gossart, etc.

stay in Berlin and of the valuable hints they gladly furnished me; especially MM. Bresslau and Koser, whose good nature was inexhaustible.

II.—Universities of Halle, Leipzig and Göttingen—Students' Historical Societies.

I regret keenly that I could not devote to the Universities of Halle, Leipzig and Göttingen as much time as to the University of Berlin. I did, however, visit a considerable number of courses, of which I took hasty notes.

University of Halle.

The programme for the summer term of 1881 contained the following theoretical courses in history: history of the Roman republic, history of Roman Emperors from Augustus to Constantine the Great, history of the Romans and the Germans from Constantine to the invasions of the Barbarians, introduction to the history of Germany, history of the Papacy to the Council of Basle, history of private life up to the Middle Ages, history of Prussia and its institutions, general history of the nineteenth century from the Congress of Vienna (1815).

There were also five practical courses, two of which were devoted to paleography, directed by Professors Dümmler, Droysen, Jr., Schum and Ewald.

I attended one lecture by Prof. Dümmler, one of the most eminent of German scholars. The lecture was in his course on the Roman Republic, touching upon the invasion by the Gauls, the burning of Rome, and the influence of the Etruscans. Prof. Dümmler read his notes in an even voice with a pleasant manner, modest and good natured. Although the following day was the first of the Whitsun-tide holidays, during which for a week students and professors desert the university, a great many were present at the lecture.

Prof. Droysen, Jr., son of Droysen of Berlin, gave a course in contemporary history from the time of the Congress of

Vienna, and the lecture I heard bore upon the policy of England before and after Waterloo. M. Droysen is one of the most attractive professors that I listened to. His delivery is animated and carries conviction as much through his eyes and gesture as through his words. The students did not all write with feverish haste as in Belgium; they contented themselves, for the most part, with a single note now and then, following the professor's train of reasoning with their eyes fixed upon his face. This remark applies to all the lectures I heard in Germany; the students really listened, while with us they scarcely think at all, so eager are they to write down with the accuracy of a stenographer every word of the professor, so as to be able to learn them by heart for the examination.

In Prof. Schum's course upon the Papacy in the Middle Ages, I heard him describe the scandals of the Popes in the eleventh century in vigorous terms. He spoke in a clear and penetrating voice, casting at his audience stern and impressive glances, which enhanced the strict impartiality with which he treated his delicate subject.

Prof. Hertzberg, distinguished as a specialist and author of a great work upon his subject, taught history of the Roman Empire. He was describing, the day I heard him, the details of military organization of the Eastern and Western Empires, and the working of the postal system in the two empires.

I was able, also, to hear, while at Halle, one of Prof. Kirchoff's brilliant lectures on geography. In the programs this course is called "Study of Asiatic Regions." The professor placed himself in front of the desk by a table heaped with charts and atlases. A beautiful physical map of Asia was stretched upon the wall. He was speaking of the Caucasus region and he rapidly and brilliantly characterized in an able sketch the flora and fauna of the region. Then he passed on to the ethnography of the country, quoting ceaselessly, and often in Greek, Herodotus, Strabo, Hippocrates, etc., in the same breath with the most recent geographers, such as M. Elysée Reclus.

There is no such advanced study of geography in Belgium save at the Normal School of Arts at Liége since 1852. I did not get a very clear idea of this teaching of geography, but Prof. Kirchoff's learned, sound, comprehensive and graphic lecture showed me the importance that ought to be given to the science in our universities when the day comes for serious reorganization.[1] At Halle, two professors, Kirchoff and Credner, give six courses in geography. The courses may be enumerated thus: methodology of the science, study of the earth's surface and the causes that determined it, study of Asiatic regions, geography of the south of Germany, description of the most important and most recent geographical discoveries, practical work in geography. All Prussian universities and generally all German universities have courses in the science analogous to those of Halle.

I visited only one of the five practical courses in history, that of Prof. Droysen, which is one of the two official seminaries of history belonging to the University of Halle. The eminent professor proceeds as follows: He has, printed or in autograph, some of the sources that are to be worked for a special point in modern history which he wishes to clear up. The little pamphlet is given out to the students and one of them is specially charged to solve the difficulty; he presents a report and they all discuss for several meetings the relative value of the sources and the manner in which historians have used them. The subject under discussion at my visit was the capture of Frankfort-on-the-Oder by Gustavus Adolphus in 1631. Eleven students sat at the sides of a long table at the head of which sat the professor. Each pupil had before him the letters of the Swedish king, of Gen. Banner, etc., besides little contemporary pamphlets relating to the event, published according to the usage of the time. The originals of these

[1] Prof. Sequarri, my colleague at Liége, announced, for the summer term of 1882, a free course in geography; this was the first attempt to introduce the study into our faculties of arts and letters.

documents lay upon the table and were occasionally referred to. The discussion was most earnest and the pupils took part in it without waiting to be asked. M. Droysen controlled the debate gracefully and followed it with intense and encouraging interest. I cannot forget that remarkable head, the high forehead crowned with white hair, while his mustache is still black. I have already expressed my admiration of this man, and his practical course seemed to me even more excellent than his others.

Prof. Droysen's most advanced pupils sometimes undertake more extensive work and this they submit in manuscript. For the past eight years the professor has had the best of these papers printed by the editor, Max Niemeyer, of Halle, who does the work at his own expense. In June, 1881, thirteen of these monographs had appeared and five more were in press or in preparation. Those printed since 1874 bore the title, "Halle dissertations upon modern history, edited by G. Droysen."

Professor Dümmler conducts the other historical seminary. Although I was unable to visit it, I took care to ask the opinion of so eminent a scholar in regard to practical courses. He gave me many valuable hints which I shall use, and received me with great kindness. He spoke to me, among other things, of one of my pupils at Liége, M. Henri Pirenne, who was then studying, under direction of my colleague M. Kurth, the history of Sedulius Scotus, and had been corresponding with Prof. Dümmler upon the subject.

I would have given much to visit the classes of Prof. Schum in paleography and diplomatics; but I had time only to glance over the fine collection of fac-similes that he has prepared. He has placed in a room, designed specially for his course, all the paleographic publications of Germany, France, England and Italy for the use of his pupils; beside these, he has copied, with his own hand, a great number of charters from the archives of Germany, Belgium, France and Italy, so that at the practical exercises each student has before him a copy of

the document he is studying. In the summer term of 1880 Prof. Schum had his pupils make a classification of the archives of a church; the *Regesta* will soon appear. It is an excellent method of initiating students into the complex science of the archivist. The professor takes a little excursion with his pupils every year to the apparently very interesting records of Merseburg. The day is divided between the record office and the monuments of the town. I was very much struck with this sort of teaching; for it is easy to see that with so competent a master, so sound a method and such complete apparatus, rich results would be obtained.[1]

I had the honor of meeting the professor of Political Economy, M. Conrad, and he gave me interesting details about the organization of his practical course. His information happened to be exactly the same that Prof. Ad. Wagner, Prince Bismarck's economic adviser, had given me in Berlin, a point I cannot forbear mentioning, although it does not directly concern my subject, because it may help to introduce into our own universities those practical courses in Political Economy that are found to be, in all German Universities, a great help to historians.

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[1] Prof. Schum spoke at length of the valuable collection of MSS. at the Erfurt library, of which he had undertaken to make a catalogue. The manuscripts are chiefly a bequest made in 1412 by a physician named Amplonius, who had collected them throughout Europe. He had secured thus the manuscripts of Jan de Wasia, curate of St. Walburge, at Bruges, in the fourteenth century, who had himself bought them at the death of a canon of St. Donat in the same city. They treat of mathematical and theological subjects. None are in Flemish, but upon the cover of one of them Prof. Schum found a fragment of a Flemish parish account of the fourteenth century, of which he gave me a copy. I was anxious to send it to M. Napoléon de Pauw, state attorney at Bruges, who is editing the parish records of the time of the Arteveldes. M. Pauw readily recognized it as a fragment of the records of Bruges. The *Bibliotheca Amploniana* contains also a medical treatise of the middle of the fourteenth century whose exact title is as follows: *Johannis de Burgondia, alias dicti cum barba, civis Leodiensis et artis medicinæ professoris et physici Tractatus de epidemiis.* (Cod., No. 192, fr. 146–148). I mention it for the sake of those who are studying the history of the old principality of Liége.

At the library I found Prof. Hartwig, who has charge of it. It is a model structure, built almost entirely of iron, and hence fireproof. M. Hartwig did the honors of his establishment with great affability, and allowed me to rummage at will through the books pertaining to the Netherlands.[1] I have rarely met men of such cordial and winning frankness.

I owe to Prof. Schum my chief acknowledgment. He put himself at my disposal during my stay in Halle and helped me in all my investigations. He treated me like an old friend and showed me the brotherly hospitality that is most keenly felt in a foreign land, protesting that he was only paying his debt to M. Schoonbroodt, the State Archivist at Liége, and his colleagues for their kindness to him when he went to make his copies of mediæval charters.

University of Leipzig.

In the summer term of 1881 there were the following eleven theoretical courses in history: sources of Greek and Roman history; diplomatics, with an introduction on Latin paleography; history of Greece up to Alexander the Great; Roman history up to the Empire; history of the Carlovingian and German empires to the Hohenstaufen; history of Europe at the end of the Middle Ages; history of Europe at the time of the Reformation; history of Europe from the peace of Hubertsburg to the fall of Napoleon I; history of Saxony (two courses); history of civilization in Germany since the Reformation.[2]

The practical courses in history, five in number, were under the direction of Prof. von Noorden, Prof. Arndt and Prof. Gardthausen and the privat-docents Holzapfel and Meyer.

[1] I even found there some works of whose existence I was quite ignorant.

[2] To these must be added a course in Latin epigraphy, one in paleography with practical training, and four theoretical courses in geography (general geography, special ethnography, history of the exploration and colonization of Africa, and geography of the fauna and flora of the globe). There were two practical courses in geography, besides.

I had but one day for the great Saxon University, though its teaching of history deserves to be carefully studied. I went to two practical exercises. They constitute, as at Halle, a State seminary, that is to say, they have received official recognition, especially in subsidies. This seminary consists of four sections, under the care of three professors and M. Meyer. Since 1877 the seminary has had a building of its own, enlarged in 1880 and composed of five halls; a study for the professor, a little room where atlases and the great geographical, paleographical and epigraphical collections are kept in closets, and three large work halls where the students consult encyclopædias in current use (often in duplicate and triplicate), and where each pupil has a separate large table with a drawer whose key he keeps. Each table is lighted by a separate gas-jet. The students are allowed to smoke in the afternoon; in the morning they must obtain the unanimous consent of the students present. The hall, warmed in winter, is at the disposal of the students from 9 a. m. till 10 p. m. It is always locked to prevent the entrance of intruders, but each student has a latch-key.[1] To have the use of the building it is necessary to become a member of the historical seminary, that is, to be accepted by one of the professors and to pay ten marks a term to a special library. All but serious students are thus excluded.

Prof. von Noorden first started this system at Bonn and then introduced the same reform at Leipzig. The government of Saxony granted him the sum of 6,500 marks for the foundation of the library and an annual subsidy of 1,200 marks. The income from the students at ten marks each amounts to 800 or 900 marks a year, inasmuch as there are forty or fifty members admitted each term. One of them acts as librarian and receives about 100 francs.

I visited Prof. von Noorden's practical course in sources of

[1] It seems that this room at Leipzig is the most complete in all Germany those at Bonn and Strasburg are far smaller, I am told.

German history of the tenth century, especially Widukind and Hroswitha. About twenty students were present, one of them a young lady. She wore a simple dark dress, brightened by a red necktie, and was bravely seated at the common table between two of the students. It was evident that no one thought of finding fault with her.[1]

The *Carmen* of Hroswitha, with its preface and two dedications, one to Otho I and the other to Otho II, was the subject of debate and all the pupils had carefully prepared for it. Prof. von Noorden put questions and directed the discussion with nervous care; it was very spirited and interesting. At the end the professor gave out the subject of the next *séance*, first indicating the exact volume and page of the sources to be consulted and then enumerating the points upon which the discussion would bear. Each pupil wrote the order of the day as the professor dictated it.[2]

The same evening Prof. Gardthausen had his practical course in ancient history. He began by deploring the singular disregard the Greek and Roman historians had for inscriptions and official documents which were within their reach, but which have been almost entirely destroyed in the centuries since. He then proceeded to compare the speech of the Emperor Claudius

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[1] The university at Leipzig admits women to its lectures, but excludes them from the examinations. Göttingen, on the contrary, occasionally confers a degree upon a woman, but does not admit them to lectures. In Switzerland, notably at Berne, no difference is made between the sexes. M. von Noorden told me that one young woman had taken his practical course in history during the preceding year and was by far his best pupil. Not being able to take her degree at Leipzig, she went to Berne with her first teacher, Prof. Stern. She is now professor at the Victoria-Lyceum for women at Berlin.

[2] M. von Noorden does not require written theses from his pupils. If a particularly studious pupil produces one, it is handed to a referee who writes out his criticism. The professor then calls a special meeting of the seminary, say Sunday morning, and the thesis is subjected to pitiless examination.

in Tacitus (*Annales*, XI, ch. 25) with the official version that has been preserved in the inscriptions found at Lyons in 1528.

There were five pupils present and each had the passage from Tacitus before him, as also the text of the inscription. One student gave a minute *résumé* of the argument put by the Latin historian into the mouth of Claudius, while another translated the real argument. Finally the version of the same speech, as given by Suetonius, was examined and reference made to Mommsen. The discussion was kept close to the point and was most instructive.

Prof. Arndt's practical course was given in the morning, once a week, from 7 to 9 o'clock. I could not attend it but Prof. Arndt described to me his method, which seemed to me very original. He took from preference beginners, students in their first university term. For some weeks he requires them to devote their time to acquiring a general knowledge of the German Middle Ages, and the condition of Europe as a whole at that time. He suggests some works for them to read at the seminary library. The order of the day for the practical *séance* is not known beforehand. For instance, at the beginning of the lesson, the professor writes on the blackboard some enigmatical words which the pupils are to decipher while he puts questions. As the subject opens before them they ask for sources to be consulted and immediately consult them; they find the necessary documents upon the shelves of the special seminary library. Again it may be a charter of the Middle Ages which the professor submits to his pupils, of which they must discover the import, referring for difficult points to special works. Each pupil is thus taken without means for preparation and has to depend upon himself for better or for worse, like an officer upon the battlefield. Even the most mediocre minds are bound to make a great intellectual effort and are thus roused from their apathy.

The students are not allowed to take notes or to write at all during the lesson; all attention must be concentrated upon the unstudied question of the hour. When a student wishes to

present a written dissertation[1] he goes to the professor and submits to him his subject. When the work is done the professor in his study criticizes it for the author.[2] The practical work remains exclusively oral and the professor keeps strictly to the Socratic method. Prof. Arndt spoke earnestly in favor of his system. He told me also of specialists whom he had formerly met in Belgium, of Ferd. Vanderhaeghen and the late Senator Vergauwen at Ghent, and of the incunabula belonging to the University library and to M. Vergauwen. He spoke, too, of M. Schoonbroodt and the late Ferd. Hénaux, at Liége, where he had consulted the famous *Codex Leodiensis* for the *Monumenta*, etc.

The reception accorded me at Leipzig by Profs. Arndt, von Noorden and Gardthausen was most pleasant. I regretted exceedingly that I had to leave their university so soon.

University of Göttingen.

The list of theoretical courses in history given during the summer term of 1881 is as follows: diplomatics; Latin pale-

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[1] Following the lead of Prof. Droysen, Jr., at Halle, eight years before, some of the professors undertook in 1880 to publish the best of their pupils' monographs, through Veit of Leipzig, in a series called *Historiche Studien*, edited by W. Arndt, C. von Noorden and G. Voigt in Leipzig, B. Erdmannsdörffer and E. Winkelmann in Heidelberg, W. Maurenbrecher and M. Ritter in Bonn, R. Pauli and J. Weizsäcker in Göttingen, and C. Varrentrapp in Marburg. In June, 1881, four monographs had appeared, with a preface by the professor under whom the work had been done, and three were in press.

[2] In Germany the professors are at the disposal of their students every day at a certain hour called *Sprech-stunde*. The consultation is gratuitous, and the students make use of it freely. When the porter at the university gives a stranger the professor's address, he gives at the same time his *Sprech-stunde*. The official lecture programme at Leipzig gives opposite each professor's days and hours of lectures the exact hour of his *Sprech-stunde*. At that hour it is impossible to visit a German professor without finding his study and his waiting-room in possession of one or more students. This is the way they train pupils. The *Sprech-stunde* ought to be introduced into Belgium.

ography; Roman history to the time of Sulla; history of Roman institutions; history of the German Empire up to the great interregnum; contemporary history from 1815, with special reference to institutions; history of Great Britain and of Parliament; history of Italy in the Middle Ages.[1]

There were five practical courses in history under Profs. Pauli, Weizsäcker, Volquardsen and Steindorff and the tutor Bernheim. Prof. Pauli, who has lived many years in England and has written one of the best histories of that country and knows it thoroughly, gives a course in his favorite subject. The lecture I attended was upon India and the English colonies in Hindostan. The professor outlined the history of the great peninsula before its conquest by the Europeans, related the origin of the East India Company in the reign of Elizabeth, and the struggle between the French and English under Labourdonnaye, Dupleix, Lord Clive, Lally Tottendal, etc. The professor was master of his subject and presented it in a very interesting style. Twelve pupils were present.

In his course upon the German Empire, Prof. Weizsäcker[2] described the important rôle played by Otho the Great, in Italy, at the time when the Saxon emperor controlled the papacy. The professor adorned his narrative with many piquant remarks. He cited sources constantly and referred with criticisms to the great historical works and to special monographs. This learned and spirited lecture was attended by about 40 students.

I visited, also, Prof. Weizsäcker's practical course. It is ordinarily given at the professor's house, but this time at one of the University halls on account of the severe illness of some member of the professor's household. At the appointed hour Prof. Weizsäcker arrived, followed by a stout German servant

[1] The four courses in geography consist of the following subjects: General geography and climatology, geography and statistics of the German Empire, methods of teaching geography, and practical courses.

[2] Prof. Weizsäcker has since been appointed professor at the University of Berlin. [Reinhold Pauli died June 3, 1882.]

of mature years, who carried, with bare arms, a great osier basket filled with copies of the *Monumenta* and other necessary books. The entrance of the brave woman excited no attention; not one of the 20 students smiled. The professor settled himself in his chair and launched out into a humorous discourse that lasted two hours and was truly ravishing. He began by stating his ideas in regard to the qualities that ought to be found in a student's written thesis. In this connection he recalled the precept of v. Sybel: "However small the question may be, you must attack it vigorously and write out your work only when you have convinced yourself that, upon that subject, you are the wisest man in the world." Prof. Weizsäcker then suggested, as a subject for study, the obscurity which still surrounds the strange ceremonies of the election of German kings at Frankfurt and their coronation during the Middle Ages. After speaking in this vein for an hour, scattering pleasantry and sending a smile of amusement around the class at each sally, he distributed copies of the first volume of the acts of the German Diets, of which he is the editor.[1] When each student had received his copy, the professor began to comment upon some of the Bulls of Popes Clement III and Urban II, who, one at Rome and the other at Avignon, each pretended to be the true pontiff. The second hour was spent thus, the students remaining silent, the professor waxing more and more keen and interesting. At the close he remarked playfully that he had forgotten that he was doing all of the talking, possessed, in spite of himself, by the influence of the chair he sat in. He expressed the hope of resuming the lessons in his own study and dismissed his pupils kindly, begging one of them to replace all the musty books in the basket so that the servant might carry them back. I was so delighted with his brilliant lecture that I regretted extremely my inability to see him at work directing a historical debate.

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[1] *Deutsche Reichstagsakten I. unter König Wenzel* (1376–1387), edited by Julius Weizsäcker, Munich, 1867.

I talked a long time with Profs. Pauli and Weizsäcker about the organization of practical courses, and obtained also the opinion of Prof. Steindorff, son-in-law of Dr. Waitz. To the latter Göttingen is indebted for its historical renown and the traditions which he left have made the university one of the best in Germany for the study of history.

As at Berlin, Halle and Leipzig the reception I met was extremely cordial and pleasant to remember. Prof. Pauli, especially, whom I had met a few days before at the Congress of the Hanseatic Society, in Dantzig, was kind and hospitable.

Historical Societies of Students.

There exists at the German Universities, along with the theoretical and practical courses in history, an interesting institution which serves to complement them—the societies composed exclusively of students. I visited them hastily at Berlin, Halle and Göttingen, and found them so useful as to deserve special mention here.

At Berlin the *Historische Verein* holds its meetings in the fine parlor of a restaurant situated in *Unter den Linden*. The room is adorned with portraits of the Emperor William, the Prince Imperial, Bismarck, etc., and is lighted by a magnificent chandelier with sixteen gas-jets. About 20 students were present, drank Nuremberg beer and smoked energetically. First they passed, by a small majority, an amendment imposing a fine for absence. Then the *Vortrag* began; that is, one of the students addressed the company. While he was speaking the rest smoked and drank, though listening carefully, made grave signs of salutation across the table and drank one another's health at great distances. The privat-docent Koser, who had introduced me into the circle, and I, were several times the objects of this silent and apparently most flattering demonstration; usage requires that the one honored by the silent toast should after a little while make the sign from afar and drink to the health of the one who saluted him.

The *Vortrag* was very interesting; its theme was the Black Death in the fourteenth century. The student who made the address, M. Hoeniger, had just won his doctor's degree by a thesis on the same subject.[1] A pile of notes lay upon the little desk behind which the speaker stood. He quoted mediæval sources extensively, among others the *Corpus Chronicorum Flandriæ* of the late Canon De Smet. The students were all so serious and attentive you would have fancied yourself in a small academy.

We could not stay till the end of the meeting, and at our departure we were requested to sign a register of the visitors admitted. Most of the professors had at various times attended the meetings. This fraternal intercourse of master and pupils upon scientific ground, glass in hand and pipe in mouth, impressed me much.

At Halle, where there are a great many poor students, the *Akademisch-historische Verein* had more modest quarters. They used a small room in a sort of old-fashioned inn, called *Restaurant Hoffmann*, the door opening upon the wide porch. The only ornament in the room was a cast-iron stove, such as is seen at Arles and in the Grand Duchy. Seven students were present at the meeting, smoking and drinking healths in beer, and Prof. Schum and I came in for our share of the silent homage. Several members read reviews of recent articles in Prof. von Treitschke's *Preussische Jahrbücher* and in M. von Sybel's *Historische Zeitschrift*. The listeners did not hesitate to exchange observations upon the monographs. In this manner they discussed quite seriously a work by Prof. Nitzsch

[1] This is the title of it: *Gang und Verbreitung des schwarzen Todes in Deutschland von* 1348–1351 *und sein Zusammenhang mit den Judenverfolgungen und Geisselfahrten dieser Jahre. Inaugural-Dissertation zur Erlangung der philosophischen Doctorwürde an der Georgia Augusta zu Göttingen von Robert Hoeniger aus Ratibon.* (Berlin, 1881). The monograph is only 46 pages, but M. Hoeniger has just developed it into a valuable book, which I recommend to all students of the fourteenth century, (*Der schwarz Tod in Deutschland. Ein Beitrag zur Geschichte des vierzehnten Jahrhunderts.* Berlin, Eug. Grosser, 1882, 180 pages).

upon the mediæval Truces of God, beginning with that of the Bishop of Verdun in the eleventh century. This plan of keeping in touch with the best articles of historical reviews ought to produce many good results. At the close the president rose, proposed our health and commanded a "Salamander" in our honor:[1] this drew forth our thanks and our proposal, in turn, of a Salamander to the health of the society.

At Göttingen I was introduced to the students' history club by Prof. Weizsäcker and the tutors, Bernheim and Schmarsow. The room was a large parlor on the first floor of *Restaurant Ernst.* It was in June, the evening was exceptionally fine and the three windows, looking out upon one of the principal streets, were open all the time. Eleven students were present, one of whom wore a military uniform.

It is needless to say that everyone was smoking and drinking beer. One student gave a lecture full of humorous sallies upon the history of Göttingen. I learned that the university was founded in 1743, after the religious wars of the sixteenth century and the Thirty Years' War had completely ruined this flourishing Hanseatic town; the university was intended to revive it, as that of Louvain was to be a compensation for the ruin of the industries and commerce of the town.[2] The lecturer dwelt especially upon the revolutions which disturbed Göttingen in 1830–1831, and submitted to his audience a collection of pamphlets and proclamations of the time, borrowed from the University library, the richest library in all

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[1] A "Salamander" is as follows: The president exclaims "*Ad exercitium Salamandri!* one, two, three!" Then every one raps his glass upon the table, making as much noise as he can without breaking it, and empties it to the health of the one to whom the Salamander is offered. A second knocking of glasses upon the table is the epilogue. It is all done with a seriousness that is quite comical. It seems there is another form of Salamander, more complicated and solemn, for great occasions.

[2] It would be a curious study to discover all the motives that have led to the establishment of universities in all civilized countries from the fourteenth century till now.

Germany. The lecture was interesting and the speaker had made original investigation.

The president rose immediately upon the close of the lecture and pronounced the ceremonial formula, *Incipit fidelitas*, which marked the end of scientific work and the descent to less serious matters. Each student was given a *Commerzbuch*, a collection of German songs; the president gave out the song to be sung and all began it in chorus, as they sing the psalm in a Protestant church at the request of the preacher. They sang first, *Stosst an, Göttingen soll leben!* in honor of the university, with the proud refrain, *Frei ist der Bursche!* After each song every man laid his *Commerzbuch*—I should say "hymn-book"—upon the table and shut it carefully under penalty of emptying his glass at one draught, a forfeit I had to pay after the first song, in my ignorance of the good old tradition. All sorts of songs were thus sung with the same ceremony; most of them were beautiful in words as well as melody. The famous *Gaudeamus igitur* was not slighted and healths to the professors present and their responses alternated with the songs. Prof. Weizsäcker's toast to me was characteristic; he drank to "that which ought to be dearer to me than anything else in the world, my practical course at the University of Liége." This toast was endorsed by an uproarious Salamander, which the president gravely commanded. But it was scarcely finished when the hour came to leave, for night meetings are under strict rule at Göttingen: there is no jesting with authority when once the *Polizeitstunde* has sounded. They told me in this connection the story of a riot raised by the students on account of the enforcement of the regulations by the police.

Such is the impression I have of the three societies of students which I had the chance to visit. To show their organization more precisely I translate here some of the by-laws of the *Akademisch-historische Verein* at Halle; there are no less than 55 articles, forming a printed pamphlet of seven pages.

"Art. 1. The aim of the society is to encourage the study of history among its members.

"Art. 2. To attain this end there shall be: 1st, a weekly meeting; 2nd, a historical library; 3rd, special reviews, passed from hand to hand.

"Art. 4. Any man shall be eligible to active membership who is a student in history in the faculty of philosophy at Halle.

"Art. 10. Each active member engages: 1st, to give at least one lecture in the course of each semester; 2d, to pay a monthly fee of 75 pfennige; 3rd, to pay the regular forfeits.

"Art. 24. The order of business for each meeting shall be: 1st, administrative part: the secretary calls the roll and reads the minutes of the last meeting; questions of internal management; communications from the president. 2nd, scientific part: lecture (*Vortrag*); discussion of lecture; appointment of following lecture; reports upon contents of historical reviews.

"Art. 28. The lecturer shall have his subject announced a month before the meeting; it must be historical.

"Art. 29. The president shall designate beforehand the 'referee,' that is, the person who shall have the responsibility of studying up the question and discussing it with the lecturer.

"Art. 49. The library shall consist of great historical works, discussions, and 'programs' and reviews.

"Art. 50. The society shall subscribe to at least the *Historische Zeitschrift* and *Forschungen zur deutschen Geschichte.*

"Art. 53. The librarian shall distribute to members in turn the reviews as they appear. Each member may keep a book not more than eight days. He who receives the review first shall give a *résumé* of its contents at the meeting following."

It seems to me evident that these clubs must have a good influence upon the special study of the members. They must consist of a picked few, since from the Universities of Berlin, Halle and Göttingen, numbering respectively 3,700, 1,300 and 1,000 students the number of members in the societies ranges only from 10 to 20.

In aiding one another to keep pace with the most recent works, in giving practice at demonstrating to others the conclusions reached by one and in maintaining relations at the

same time serious and convivial between fellow-students, the societies are surely excellent institutions. It seems to me they are, so to speak, little nurseries of future historians. It would be an advance to introduce them into our universities and among the normalists of our history section.[1] There is no doubt that the professors in Belgium would be glad to lend them the moral support which is generously accorded them by the most distinguished German teachers.

III.—General Remarks upon the Teaching of History in Germany.

Returning from Göttingen to Belgium, I found myself in company with M. von Ihering, the author of *The Spirit of Roman Law*, which a Belgian judge, M. O. de Meulenaere, has translated into French. This distinguished professor told me that he had just received the last number of the *Revue internationale de l'enseignement*, containing a remarkable study upon history in the German universities.

The article, by M. Charles Seignobos, lecturer at the Faculty of Arts at Dijon, is full of curious information and original reflections.[2] It reviews the auditory of the history courses, the professors, the subjects taught, the methods of teaching, the practical courses, the auxiliary sciences, the libraries, the examinations, and the general character of the history teaching. To be sure, some exception[3] might be taken to the keen observations and somewhat severe judgments of the author, but, for going to the bottom of things without euphemism or

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[1] I am happy to be able to add here that a students' historical society has existed at Liége for a year past. It has 30 members.

[2] *L'Enseignement de l'histoire dans les universités allemandes.* (In the *Revue internationale de l'enseignement*, I, No. 6, 15th June, 1881, pp. 563–600.)

[3] To escape responsibility in publishing the article by M. Seignobos the editor of the Review speaks of it as "a study of great interest, but one to which we should take, personally, many exceptions" (p. 563, note).

concealment, he deserves the thanks of all who wish to profit by the experience of Germany, in revolutionizing the study of history in their own countries.

I do not pretend to know the subject as well as does M. Seignobos, for he has evidently made a long and deep study of it. I give my observations for what they are—merely notes, taken from day to day, and passing impressions. It will be necessary, however, for me to condense into the most general statements all I saw and heard in my tour through Germany. I will avail myself, above all, of the information I had from the very lips of certain masters who have largely contributed to make the teaching what it now is.

And first of all, it will be well to give a statement of the various subjects which constitute the courses in history in the universities of the German Empire and, in general, of all German-speaking countries. In reality, the universities of Austria and Germanic Switzerland, as well as the Russian university of Dorpat, have adopted substantially the same organization as is found in Germany proper.

The following table will present, at a glance, the situation as it was when I made my visit. I would remark that the table does not embrace all the German-speaking universities. Those which do not appear there had, in 1881, less than seven courses in history. They were: Wurzburg, Giessen, Marburg and Grätz, which had six; Erlangen and Friburg-im Brisgau, which had four; and Rostock, which had only two.

The first feature of this table is the great variety of subjects treated in the different universities. Besides ancient, mediæval and modern history, history of Germany, the common fatherland, and the history of each particular nation, there are courses in history of France, of England, of Italy and the Papacy, etc.; and this wide range is itself completely renewed every term, since each professor changes his course every six months.

Table of the History Courses Offered in the Summer Term of 1881.

German Universities.	General History.	History of Oriental Peoples.	Greek and Roman History.	Middle Ages.	Modern Times.	Contemporary History.	German History.	History of Particular Nations.	French History.	English History.	History of Italy and the Papacy.	Encyclopædias, Methodology and Sources.	Diplomatics.	Paleography.	Practical Courses.	Total.	Courses in Geography.
Berlin	.....	1	3	1	1	.....	3	1 Prussia.	1	.....	.....	3	2[1]	3	7	26	2
Leipzig	.....	.....	3	1	2	.....	1	2 Saxony.	.....	.....	.....	1	2	2	7	21	3
Breslau	.....	.....	2	.....	1	1	2	1 Prussia.	1	.....	1	1	.....	.....	6	16	2
Bonn	.....	.....	2	.....	1	.....	3	.....	.....	.....	.....	3	1	1	4	15	2
Göttingen	.....	.....	3	.....	.....	1	1	.....	.....	1	1	.....	1	1	5	14	4
Halle	.....	.....	3	1	.....	1	1	1 Prussia.	.....	.....	1	.....	1	1	3	13	6
Heidelberg	.....	.....	.....	1	.....	1	1	1 Prussia.	2	1	1	1	1	1	2	13	.....
Tübingen	1	.....	1	1	.....	2	2	.....	.....	.....	.....	1	.....	1	4	13	.....
Zürich	1	.....	1	.....	.....	1	.....	6 Switzerland.	.....	.....	.....	.....	.....	.....	4	13	3
Vienna	4[2]	1	1	1	.....	.....	.....	1 Austria.	.....	.....	.....	3	.....	.....	.....	12	2
Königsberg	.....	.....	4	.....	1	1	1	.....	1	.....	1	.....	1	1	3	11	2
Bâle	.....	.....	1	1	2	.....	.....	2 Switzerland.	.....	.....	.....	1	.....	1	3	11	.....
Prague	1	.....	1	.....	1	1	.....	4 Austria. 1 Bohemia.	.....	.....	.....	.....	1	1	.....	11	2
Munich	.....	.....	1	.....	.....	1	1	.....	.....	.....	1	1	1	.....	2	8	.....
Jena	.....	.....	1	.....	1	1	1	.....	1	.....	.....	.....	.....	.....	3	8	3
Berne	.....	.....	.....	1	.....	1	.....	2 Switzerland.	.....	.....	.....	.....	1	.....	3	8	.....
Münster	.....	1	1	3	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	2	8	.....
Dorpat	.....	.....	.....	.....	1	1 Russ	.....	1 Russia. 1 Livonia.	.....	.....	.....	2	.....	.....	3	8	.....
Strasburg	.....	.....	.....	.....	.....	1	1	.....	.....	.....	.....	1	1	.....	3	7	5
Greifswald	.....	.....	2	.....	.....	1	.....	1 Prussia.	.....	.....	.....	.....	.....	.....	3	7	2
Kiel	.....	.....	1	1	.....	.....	1	.....	1	.....	.....	.....	.....	.....	3	7	3
Innsprück	2	.....	.....	1	.....	.....	.....	1 Austria.	.....	.....	.....	1	1	1	.....	7	1
Czernowitz	.....	.....	.....	2	.....	.....	.....	2 Austria.	.....	.....	1	.....	.....	.....	2	7	1

[1] I have included in this number, in order to avoid making a separate column, M. Bresslau's course in Chronology. It was the only one in all Germany in 1881. [2] The University Calendar (Summer, 1881) from which I took these facts is not very explicit. I have classed as general history three courses at Vienna marked simply *Geschichte*.

Another point of the greatest importance is, that, with rare exceptions, each course covers only a very short period[1] enabling the professor to go into the depths of his subject, and to dispense with generalities which teach good students nothing. In Belgium we have too many superficial courses, like manuals for the use of beginners, since they try to cover all ancient history or all mediæval history, and so on. I know that several Belgian professors have already rebelled against this superannuated tradition and prefer to choose every year, from the vast field that is allotted them, certain questions and certain periods which they can study more closely and more scientifically; but the old system is still the rule and lowers our advanced teaching to the level of academic teaching, as M. Bréal pointed out some years ago.

But to return to our table. It is astonishing to note that in this infinite variety there are two subjects that seem to be considered indispensable, since, notwithstanding the extreme freedom of choice used in making out the programs, they are found in nearly all—Prussian, Bavarian, Saxon, Austrian, etc. And these two subjects are history of classic antiquity and contemporary history. The Greeks and Romans share with the peoples that live around us the first place in the attention of teachers and students. History of the Middle Ages and history of Germany, like geography, are also taught in almost all the universities. Again, while some of the universities have no course in modern history or history of Germany, almost all have one, and frequently several, theoretical courses in the auxiliary sciences that have become indispensable, such as methodical study of sources, critical diplomatics and paleography. In Belgium, all these auxiliaries are as yet unrecognized. Law is completely ignored. Even the history

[1] On the other hand, general history is not taught at all except in some of the southern universities. Specialization has killed it, but without much sorrow on anybody's part.

section of the Normal School at Liége, founded in 1880, incomprehensibly remains without them.

But the most significant feature of our table is that all the universities that speak the German language have practical courses; on an average they have three apiece; some have seven, like Berlin and Leipzig. It is not to be wondered at; these courses are the corner-stone of all history teaching in Germany. To his practical exercises the professor devotes all his skill and zeal and pride; he often treats his theoretical courses with more or less indifference and gives them perfunctorily. Without the literary elegance and spirit of the French professors, the German theoretical courses are often very dull and tiresome, while the practical courses are in the highest degree instructive and generally very lively and interesting; upon them the professor spends all his energy and genius.

The father of practical courses is preëminently the illustrious Leopold von Ranke.[1] About 1830 he began to gather at his house, one evening in the week, certain promising pupils, to initiate them in personal scientific work. The Latin program of the university mentioned these courses as *Exercitationes historicae.* Among Ranke's first pupils were Waitz, von Giesebrecht, Max Duncker, Ad. Schmidt, Heinrich von Sybel, Wattenbach and others who have become princes of the science. Germany has hardly a historian of value who has not worked at least one term under Ranke. The old Prussian minister, Delbrück, the Swedish minister, Carlson, and numerous other statesmen have worked in his celebrated practical courses.

In 1867, at the celebration of the 50th anniversary of Ranke's doctorate, amid the cheers of the hundreds of admirers and pupils gathered in Berlin to honor their master, M. Waitz

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[1] This sketch of German practical courses is taken from numerous conversations with almost all the professors I have met. I hope there are not many errors, though it is difficult for a foreigner to avoid them entirely.

rendered him this tribute: "You never demanded that the young friends whom you have drawn around you should walk just as you have walked. You have never tried to confine their activity to a single domain, to form a school in the narrow sense of the term, by imposing rules for manner or matter. On the contrary, unlimited liberty in choice of subjects and in manner of conceiving them and of treating them has been a matter of course. You loved to see the different natures of your pupils develop according to their own inclinations. You followed after to guide and check them without hampering their originality."[1] I can add nothing to the eulogy that all Germany endorses.

Before long Ranke's pupils, themselves professors and tutors, will have introduced these practical exercises into other universities. Von Sybel and Waitz have been mentioned above. The latter, after the example of his master, has devoted, since 1850, almost all his skill and energy to this fruitful method, and has raised, in 25 years, a legion of disciples at Göttingen.

At first it was the custom to borrow topics from the history of Germany in the Middle Ages. This period of magnificent struggles of the Holy German Empire attracted and charmed the patriots, who groaned over the humiliating rôle afterward played in Europe by their country. This is, doubtless, the cause of the universal liking for the Middle Ages. M. Droysen, Sr., as I am told, was the first to introduce, systematically, into practical courses the history of modern times.

As a pupil of Boekh, he had first studied antiquity, and his history of Alexander the Great is still much valued. But in 1848, as professor at the University of Kiel, he launched into politics and was sent as deputy to the Parliament of

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[1] G. Waitz, *Die historischen Uebungen zu Göttingen.—Glückswunschschreiben an Leopold von Ranke zum Tage der Feier seines funfzigjährigen Doctorjubiläums, 20 Februar, 1867*, p. 4.

Frankfort, where he was one of those who upheld the necessity of Prussian hegemony in bringing Germany to political unity. This conviction led him, in 1852, to create at Jena, where he was professor, a course of practical exercises in the scientific study of modern history of Prussia. He called it *Historische Gesellschaft*, and in 1859 he carried the same society to the University of Berlin. His example was then followed in a great many universities and to-day there tends to be an equilibrium established between mediæval and modern history in the practical courses. Besides, there are also some of these courses in classic antiquity and also, though rarely, in Oriental history.

All these practical courses are carried on at the professor's house, generally in his study. They thus, of necessity, bring about intimacy with the professor and, more than any other teaching, are free from rules and official restraint. In 1856 M. von Sybel, the great historian, who was then professor at the University of Munich, solicited the help of the Bavarian government in the support of practical teaching. He secured an annual allowance sufficient to offer to his best pupils prizes of from 50 to 100 marks. This was the beginning of State historical seminaries. Removing in 1861 to the University of Bonn, M. von Sybel succeeded in establishing there a similar institution under the Prussian government. This seminary was placed under the direction of three professors, one of whom, according to the by-laws of the university, was a Roman Catholic. They were, at first, M. von Sybel, M. Loebel and M. Ritter, the last in virtue of his religion. The pupils chose which of the three they would work with.

Lately another step has been taken in this direction, thanks to the energy of M. von Noorden. In the different universities in which he has taught, Greifswald, Tübingen, Bonn and Leipzig, this eminent professor has secured for the history seminary a special apartment and a library of necessary books

in duplicate and triplicate. There is thus furnished to the students a hygienic work-room, warmed and well lighted, a hundred times better than the narrow chambers or miserable garrets where they live; it furnishes them at the same time all the necessary books, many of which are too costly for them to possess and which they would have to wait a long time for at the university libraries, where there is but one copy, and that one continually lent out. Moreover, in these quarters the students are under the immediate direction of the professors, who visit the hall daily and give their counsel.

This important reform has been sharply criticized on the ground that it puts the students too directly under the tutelage of the professors. M. von Noorden told me that Waitz, Droysen, von Sybel and other great authorities disapprove of the system, and added that in the case of the few, future professors at universities and those who will become more than ordinary scholars, they are not wrong; but he remains convinced that his system is excellent for the mass of students who are destined to become professors in schools of lower grade. The University of Strasburg has lately been added to those that have adopted M. von Noorden's common study-hall.[1]

The *Arbeit-Zimmer* will in all probability soon become the rule, if it is not already. At any rate almost all the German universities have given official sanction to the practical courses in history by transforming them into State seminaries. It is only the Universities of Berlin and Göttingen—universities of the first rank in other respects—that hold to the old traditions. The question is a much vexed one among German professors, and in 1867 M. Waitz, who was then teaching at Göttingen with all the prestige of his great scientific reputation, took advantage of the Ranke Jubilee publicly to attack these State seminaries. He regarded the practical courses as encumbrances, baits for the mediocre who have no real aptitude for the work,

[1] At Strasburg, Baumgarten and Weizsäcker made this reform some years ago.

but who are attracted by the hope of pecuniary gain. He believed the time had come for limiting the numbers admitted to these courses, since the number of superficial amateurs was growing year by year. It was time, he thought, that the science should be cultivated for itself alone in a spirit of absolute disinterestedness.

The pecuniary inducements are, in reality, the weak point of State seminaries. I have been assured that poor students often count upon these prizes without the slightest taste for scientific research. They botch up an essay in the hope of getting paid for it from the funds of the seminary. I have heard, too, that the professors sometimes make awards to poor devils out of pure compassion, because the money is there at their disposal and would return unused into the state coffers if not appropriated within the year. On the other hand M. Dümmler asserted that the prizes are hard to get in universities where poor students are many, as at Halle, and that, when carefully awarded by the professors, they do a great deal of good.

However that may be, many of the professors who direct the State seminaries, and believe in them, have completely abolished the pecuniary assistance to students and devote all the annual subsidy to the library. They do not prohibit certain special encouragements, such as a little allowance given to an earnest student to permit him to study documents in some distant locality, etc. As to the principle involved, they believe that an annual stipend from the State is necessary to the complete success of the practical course system.

I cannot pretend to pass judgment for Germany; but it seems to me that in Belgium it would be very difficult to propagate these courses without an annual subsidy and the categoric sanction of the State to their introduction into the framework of higher teaching. Otherwise, dependent only on the caprice of certain good-natured professors, as at the State University at Liége and the Free University at Brussels, where the experiment has been tried of late years, they may

disappear at any moment, greatly to the prejudice of the faculties of arts and philosophy.

There is no other means of improving the higher teaching of history, or rather, of making it scientific teaching. At the present time, for lack of practical courses, our Belgian universities are not producing historians. All the historians of Belgium have made themselves. It is to this fact that we must look for the explanation of the deplorable imperfections in so many of our works, otherwise full of genius and stubborn investigation. What is the real condition of our students? My colleague at Liége, M. Kurth,[1] wrote of them not long ago, after a visit to the German universities, "If there are any among them who have a love for study, deprived as they are of the direction of a master in their first attempts, they will grope for years before they find a good method and oftenest they will stop half way, discouraged. But if, when, glowing with zeal and with all the warmth of young imagination, they are ready to venture upon a noble career, their first attempts are guided by a wise and devoted master who will lead them by the hand through the labyrinth of first difficulties, teach them how, avoiding every détour, to come straight to their end, what methods to follow, what mistakes to shun and from what resources to draw—they will soon learn to guide themselves and even to help the master clear new fields; they will be scholars, or at least be capable of becoming scholars; at any rate they will have a mature and well-equipped understanding."

Almost all foreign specialists who have visited the German universities speak with the same admiration of the practical courses in history. M. Seignobos, however, has recently criticized them severely, holding them responsible for the retardation which he thinks he discovers in the historical advance of Germany. "The young man," he says, "who leaves

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[1] *De l'enseignement de l'histoire en Allemagne* in the *Revue de l'instruction publ. in Belgium*, vol. XIV, p. 90.

the gymnasium has not one accurate general notion in his head. He has not the slightest suspicion that there are societies, that they have organs and functions, that they are subject to laws. These are the things he ought to learn. He is, instead, thrown at once into the midst of documents to learn in detail where they were found, what was their origin and by what external signs the good are distinguished from the bad. He quickly becomes skilful in these performances. Later he will perhaps be useful in gathering and preparing materials; but will he not be incapable of putting them in shape? And when all receive this kind of training who will build the house?—Providence will take care of that! there will be found among them men who will be architects without ever having studied architecture!—Do not the German scholars perceive that, since historians have been brought up by their method, there has been an extraordinary dearth of great comprehensive works, and that those that have been written are commonly the works of savants of the old school?

"In introducing this method into their seminaries the professors of the preceding generation fell into a very natural error. They had, for the most part, in their youth studied law, theology and literature. They had all received, from the philosophy then in vogue, general ideas of human nature, the state, rights and duties. Usually they had been interested in politics and had made some effort in the cause of united Germany; some of them had been prisoners. Their temper was reached slowly and unconsciously.

"Then they turned to history and discovered that they lacked certain indispensable technical knowledge—paleography, diplomatics, and critical skill in texts. There was as yet no regular teaching in these departments and they had to teach themselves, alone and doubtless with great difficulty. Finally they began to produce; their genius was ripe and they knew enough of technique; they could put into general form solid facts of detail. This double preparation enabled them to

compose the comprehensive historical works upon which the present generation lives.

"Having become professors, these men forget the general preparation they unconsciously received from experience; they regard their habit of mind as a natural gift. They remember only their technical training, because of the time and trouble that it cost them. They hope to spare their pupils this toil by teaching them early the criticism of texts that they had to acquire late.

"But the judgment of the youths who come into their hands has not been formed as theirs was; the students know nothing of life, of human nature and of societies. At the seminary they are taught only technique. They learn it readily; perhaps they even surpass their masters. But their intellectual growth is stopped. They do not accustom themselves to look underneath details and they never attain the composition of a general work. The sterility of the historians graduated from certain celebrated seminaries is a striking fact. The professors often observe this weakness; they find that the level of genius has lowered since their day. They do not ask themselves whether, after having bent the flexible mind of the young man to work of details without furnishing him the corrective of general ideas, they have any right to be surprised that he has not risen. Can they complain because they see no architects rising from a generation of men bred artisans?"

This charge of M. Seignobos against German practical courses is put in clever and brilliant style; but I think it has little foundation. Undoubtedly history is passing through a crisis in Germany. I have heard it affirmed by eminent men. One professor who fitly wears a title of great renown said to me in 1881: "The crisis is undeniable. The historical skill of Germany is still the first in the world, but it is wasted upon infinitesimal concerns. Ranke is to-day almost alone as the representative of that old tradition which required the historian to be at once an explorer of new sources and a thinker with general views. And Ranke is eighty-

four years old! two months older than our old Emperor William! The young men are making a mistake in persistently cultivating microscopic history!" In fact, a man always falls on the side to which he leans. After having lived exclusively upon metaphysical history, the famous philosophy of history that in principle carried out the tradition of *a priori* generalization which the eighteenth century bequeathed us, we have, with reactionary eagerness, repudiated all general views as premature and have set ourselves to scrutinizing matters of history with a microscope. There has been too much of it; the clearsighted genius of Germany is awake to it and I have heard many a cry of alarm. But of either extreme I prefer the one that bases history upon a criticism so searching that it even sometimes degenerates into cumbersome details. Let us be content; those materials, heaped up and made ready for use by the dogged workers of the history seminaries, will in the fulness of time find the great architects who want them. They will find them more surely, I am convinced, than *a priori* architects would otherwise find preconceived notions out of which to build their houses of cards for a breath to blow down. M. Seignobos himself finishes his remarks with these words: "Even though the study of history in Germany should be destined to become petrified into criticism of texts, we must not ignore the services it has rendered. It has driven rhetoric out of history and has taught us to refer to original documents. France greatly needs to profit by this example, and if we have not spared the German system the criticisms that it seemed to us to merit, we know too well what our own system lacks not to recognize, when all is said, that there is still much reason for us to envy Germany."

For my part I do not fear the future petrifaction of German historical science. I have found it too active, too varied and too open to all progress to believe that a passing crisis, born of an exaggerated good, can be its death throe. I have, moreover, met too many masters and students with large ideas to

believe that the evil is as widespread as is asserted.[1] And finally, still more than France, Belgium needs to profit by the example of Germany. It can be said, without lack of patriotism, that in the study of history not *many* but *all* the Belgian universities have reason to envy German universities; for we have not even, to reflect us consolation, the brilliant varnish of the oratorical courses of France, which M. Seignobos so well calls the rhetoric of history.

[1] France does Germany justice in this regard, as is evident from the remarkable article recently published by M. Ernest Lavisse in the *Revue des deux Mondes*, 15th Feb., 1882 (*L'enseignement historique en Sorbonne et l'éducation nationale*).

HISTORY AT PARIS.

No one of the great German universities can boast so many historical courses as are to be found scattered through the various institutions for advanced study at Paris: at the Faculty of Arts, the College of France, the School of Charters, the Higher Normal School, the Practical School of Higher Studies and the Free School of Political Science. In the summer term of 1881, during my visit to the German universities, Berlin had twenty-six historical courses, Leipzig twenty-one, Breslau sixteen, Bonn fourteen, Göttingen fourteen and the other universities accordingly.[1] At Paris a full count would show without difficulty fifty courses in history and its auxiliary sciences.

It is evident that to attend the lectures of all the masters in the various quarters, between eight in the morning and seven at night, is no small task. After having devoted to it a month's careful investigation, I cannot attempt to present more than a sketch of the study of history in Paris. I am constrained, moreover, to repeat my statement of last year in my paper upon German universities: the following pages are simply observations. They do not pretend to solve the numerous questions that concern the organization of theoretical and

[1] See the full table of the number of history courses at the German universities in the summer term of 1881, as given on p. 38 of my report upon history at the universities of Berlin, Halle, Leipzig and Göttingen (*Revue de l'Instruction publique en Belgique* for 1882).

practical courses of history; they offer only my impressions and recollections, presented as faithfully is possible.

I. The College of France.

I begin with the College of France, because in it, tracing as it does its origin to Francis I,[1] may best be recognized the long-descended features of French higher education.

It is well known that the course of instruction in this institution to-day consists of public lectures, given with illustrations, in every science. All day long men and women of all ages, among them in summer numerous tourists, come and go in the quiet little courts leading to the halls marked for entrance and exit, like a church.

Some of the halls are small dungeons where the sufferer stifles; others,[2] so vast that the speaker can but suggest the *vox clamantis in deserto.* M. Deschanel, expounding vivaciously a fable of La Fontaine, drew so large a crowd that the folding doors at the entrance to the hall were left open to permit belated devotees who thronged the corridors to catch the laughter and murmured applause of the more fortunate listeners within. The public, composed in great part of ladies, revelled in the professor's lively and occasionally coarse wit. M. Gaston Boissier, who lectured with exquisite delicacy upon Horace, likewise had in attendance the day I was there a great many ladies and also a number of priests.

Other professors, who keep strictly to specialties, teach in little halls, seated at the head of a table, around which their

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[1] The *Statistique de l'Enseignement supérieur*, 1865–1868, gives pp. 541–555, an interesting historical notice of the College of France.

[2] M. Gabriel Monod (*De la possibilité d'une réforme de l'Enseignment supérieur*, p. 26) tells the following incident: "Michelet relates somewhere how some peasants returning from market entered the College of France and went into the hall where M. E. Quinet was lecturing, believing it to be a church. A strange kind of teaching where all the passers-by may step in and where the lectures are indistinguishable from sermons!"

auditors are ranged. It was thus I heard M. Renan explain and discuss certain Semitic inscriptions. Ensconced in an arm-chair, which his corporosity well filled, he chatted with freedom and good nature; his assistant, M. Berger, drew facsimiles on the blackboard at the professor's direction. Ten serious students took notes at the table. Along the wall were seated some chance hearers, two of whom were ladies and two seminarists. From time to time a stray old gentleman or an English tourist found his way into the hall and made himself at home, soon departing without ado. In the same little room I heard a lecture on the grammar of the *Langue d'oïl*, by M. Gaston Paris. Out of the seventeen listeners, of whom one was a woman, twelve took notes with exemplary activity. M. Paris was speaking of the *o* open and the *o* close before a simple nasal in the romance dialects, and every time the door opened to admit a stroller he darted at the offender a withering ray from his single eye-glass.

The lectures in the smaller rooms are much more scientific and fruitful than those in the large halls; the latter seem to be intended only for the floating mass of idlers.

During the summer of 1881 the historical course was as follows: M. Ed. Laboulaye treated the political theories of the eighteenth century; M. Alfred Maury the history of England, from the sixteenth to the eighteenth century, as well as the migrations of the ancient nations that established themselves in Europe; M. Ernest Desjardins gave a course on the epigraphy of Roman Gaul; M. Olivier Rayet described the private life of the Greeks, especially the Athenians; and M. Albert Réville related the religious history of the Chinese.

I did not hear M. Laboulaye, as he had suspended his lectures on account of illness, nor M. Rayet; fortunately I met the latter at the Practical School of Higher Studies.

I attended M. A. Maury's lecture upon the migrations of ancient peoples. In a vast columned hall, which it would take hundreds to fill, ten women and about twenty men, of various descriptions, scattered here and there, leaned against

the pillars or reclined in the embrasures of the windows. No one took notes. M. Maury spoke of prehistoric times and of the admirable works of the Danish scholar Worsaae. With engaging good nature, and without a moment's delay, the professor lectured into space, as if wholly resigned.

M. Réville had many more listeners to his course on the religion of the Chinese. He was engaged with the struggles of the Popes against the Jesuits established in China in the last century. I thought I recognized entire the interesting articles, *Variétés*, which M. Réville contributed in 1882 to the *Flandre libérale*, a Belgian periodical, published at Ghent. There were a great many ladies present, part of whom formed the professor's escort at his departure.

In another great lecture-room I heard M. Desjardins give a most interesting discourse upon the Roman province, before a score of people, chiefly idlers. Of the four ladies two napped gracefully in a retired corner.

I will not stay longer at the College of France. It is very little frequented by true students;[1] save the lectures given to the select few in the small rooms, its teaching cannot train pupils. Of the public lectures persons of small means, chance stragglers and tourists form the ever-changing audience. I sincerely pity the famous masters subjected to such a system, but as fast as advanced methods are instituted at the Faculty of Arts true students begin to frequent the College of France.

II. The School of Charters.

The College of France is situated beside the Sorbonne in the district of the schools, on the east side of the celebrated

[1] M. Monod says on this subject: "I have proved this indifference of younger students by a striking instance. I watched for one year a course in legal history given at the College of France by an eminent savant. I thought that out of the 3,000 law students at least a hundred would take care to improve this rare chance of completing their studies. But I was mistaken. There were but sixty listeners and among them at most but ten young men, four of whom took notes. The rest of the audience consisted of ten ladies, ten men of mature age and thirty old men.

hill of St. Genevieve. The School of Charters is in a totally different quarter of Paris, on the other bank of the Seine, in the midst of the *Marais, rue des Francs-Bourgeois,* 58, occupying part of the building of the national record office. Its history deserves to be briefly related.

Under the first empire the question of establishing a special school of history was vaguely agitated.[1] But it was after the Restoration, by a royal ordinance of 22d February, 1821, that the School of Charters was founded, beginning with two professors and six pupils, but without suitable quarters, one of the courses being given at the Royal Library, the other at the *Archives du royaume.* This precarious existence was laboriously sustained until 1847. An ordinance of 31st December, 1846, provided for the school a building, a director and assistant director, two titular professors, three readers and a secretary-treasurer. The director was the Hellenist Letronne. Although following a specialty foreign to the work of the School of Charters, Letronne exerted a marked and fruitful influence. It was he who founded its library, its fine collections, its present course of study, all that gave it vigor and fame. The late director, Jules Quicherat, well recorded this fact over the tomb of Letronne. Quicherat himself lived to render eminent service to the school.[2]

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[1] In the notes dictated at Chateau de Finckenstein 19th April, 1807, consequent upon propositions made by M. de Champagny, minister of the interior, Napoleon recognized the possibility and utility of a special school of history. These are significant lines: "History and legislation should be placed in the first rank; the professor should go back to the Romans and come from there down, surveying the various ages of the French kings down to the code of Napoleon. The second place should be held by the history of military art. Of what interest it would be, for example, to know the means employed at various epochs for the attack and defence of places in our territory, etc." The same notions guided Napoleon when M. de Champagny proposed to him to create a chair of national history at the College of France. He then wrote in his own hand on the margin hints of new chairs to be founded: "1st. Military history of France; 2d. History of legislation in France."

[2] See the papers by M. A. Giry devoted to Quicherat in the *Revue historique* for July and August, 1882.

The present course of study is of three years' duration and includes: paleography; the romance tongues; bibliography and the arrangement of libraries and records; diplomacy; history of the political, administrative and judiciary institutions of France; civil and canonical law of the Middle Ages and archæology of the same period.[1] The lectures are public, but, in order to receive the title of pupil and its attendant advantages, a man must be admitted by examination. Applicants must be at least twenty-five years old and recommended by a bachelor's diploma. I am told that such a candidate, of average ability, generally takes the examination without special preparation. The subjects of examination are chiefly Latin and general notions of history and geography. Familiarity with a foreign language, English, German, Italian, Spanish, is optional; but, as the candidates are numerous, without the modern languages failure is almost certain. Not more than twenty pupils can be admitted annually. The pupils are subject to two examinations yearly, one at Easter, the other at the close of the session; these examinations are both oral and written, upon the reading and interpretation of manuscripts, as well as upon the matter of the lectures. At the end of the third year the pupils whose merit has been established by the two regular examinations are entitled to write a thesis, of which the outline at least must be printed.[2]

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[1] A new course for criticism of sources of French history from Gregory of Tours to Philip of Comines was this year (1882–1883) put in the hands of Simeon Luce.

[2] See, for example, the *Positions des thèses sontenues par les élèves de la promotion* 1883, *pour obtenir le diplôme d'archiviste paléographe.* (Paris, Plon et Cie.) The list of theses is as follows: Study on the cartulary of Gellone, 804–1211 (P. Alaus); Essay on the historical geography of Auvergne in the 13th century (J. Argeliès); History of the duchy of Athens and the barony of Argos (R. Bisson de St. Marie); the ancient common law of Paris from the end of the 13th to the first years of the 15th century (H. Buche); Researches concerning Antoine de Lorraine, count de Vaudemont, 1395–1457, his life, his family, his property (A. Cicile); Essay on the life of Clement IV, French pope, 1180–1268 (A. Corda); Essay on the Temple de Paris (H. de Curzon); the Counsel at the Parliament of Paris, 1300–1600

In the first years of its existence the School of Charters produced such remarkable scholars as Quicherat, Lalanne, Bourquelot, Himly, etc., but along with them too many genealogists. Next, under the second empire chiefly, the clerical party made the school their historical stronghold, the Middle Ages and their records being called upon to furnish reactionary arguments. To-day the School of Charters is pervaded by an absolutely disinterested scientific atmosphere. Notwithstanding this fact its disciples are divided into two well-entrenched camps. The papists form a strong phalanx, headed by their eminent professor, M. Léon Gautier. In January of each year the students have a banquet; but according as the majority is liberal or clerical, the dissenting minority often refrains from attendance. I have noted these details, but I have not exaggerated their importance. The students appeared to me to act in harmony, and their political differences are adequately explained by the state of mind of all France. The works of the professors, the pupils and quondam pupils, crowded into the excellent library of the School of Charters, possess scientific loyalty and strict method highly appreciated by the learned world.

(R. Delachenal); Religious Architecture of the country of the Vosges, 1009–1250 (G. Durand); Study on the communal charters of Auvergne (L. Farges); the Châtelet of Paris under the administration of Jean de Foleville, mayor of Paris in the reign of Charles VI, 1389–1401 (G. H. Gaillard); the *Coronement Looys*, song of the 12th century (E. Langlois); Jean de Villiers, Lord of Isle-Adam, Marshal of France, 1384–1437 (G. Lefévre Pontalis); Count Eudes II of Blois, 1004–1037, 1019–1037, and Thibaud his brother, 995–1004 (L. Sex); Admiral Chabot, Lord of Brion, 1492–1542 (A. Martineau); Historical and diplomatic introduction to the catalogue of Acts of Matthew II, duke of Lorraine, 1220–1251 (L. Le Mercier de Morière); Origins of Fief in Franche-Comté and its organization in the 13th century (J. de Sainte-Agathe); Essay on the French government of Genoa in the reign of Charles VI, 1396–1411 (E. Salone.) These theses were submitted 29th January and the days following.

For further details see the *Livret de l'Ecole des Chartes*, published by the Society of the School of Charters (Paris, A. Picard, 1879). It contains a historical notice, information about the actual state of the school, list of all the pupils since 1821 and numerous illustrations.

The lectures are given in a large, not too well lighted hall. Immediately in front of the lecturer's desk is an enclosure marked off for the pupils by a rather high screen, having in the centre a large oval table. Outside this circle the public take their places at small tables in the full light of the windows, while the students, especially in a cloudy day, are plunged in obscurity behind their barricade. Framed under glass, an enormous charter, fringed with numerous seals, hangs on the wall. It is hung too high to admit reading; but it is a Cologne charter of the fourteenth century and the seals are those of the trade-guilds of that town.

Through large glazed casings are visible the shelves of the library and its high windows before which bend the branches of the garden's noble trees. But this fresh corner is not enough to brighten the dull lecture hall.

The pupils, who for the most part take also the course of the *Faculté des lettres* and *L'Ecole pratique des hautes études*, assemble by twos and threes in the lecture-room. Before the beginning of the lecture they chat, laugh and jest together, somewhat like collegians. An officer, with an attendance-book, goes his rounds to take the signatures, and then submits his book to the professor. The lecture lasts an hour and a half—quite long enough; but there are never more than three days in the week required, or more than two lectures in the same day.

The director who succeeds Jules Quicherat, M. Paul Meyer, has charge of the course in romance dialects. He is a man of fine presence and of stern and distinguished bearing. He delivers his lecture in half voice, but the lightest whisper could be heard. The lecture I attended had for its subject the most ancient known fragments of the romance tongues. After a very interesting introduction, M. Meyer distributed numerous fac-similes of the famous oaths of Strasburg, made the pupils decipher them, and commented upon them with the learning and authority that distinguish him. He discussed the conjectures already made and presented a new one. He

examined also the styles of the writing. The whole lecture was pervaded with an elegant dignity but with a cool indifference, quite English. M. Meyer was roused to animation only while demolishing the abominable comments of Chevalet in his *Historie de la formation de la langue française.*

M. Léon Gautier had just preceded M. Meyer with his lecture on paleography. Two men could scarcely present a greater contrast. With his picturesque head, hair and beard disordered, rubicund nose, kind and merry eyes, with his perpetual gesture and sonorous voice, with humor and fancy sometimes trifling, M. Gautier captivates the listener at his first word. The lesson I attended was in reading charters at sight. The method is his own and seemed to me excellent. He gives almost no theoretical teaching; the year through there is nothing but reading at sight, totally separating theory from practical work. I am told that surprising results have followed this method, into which he infuses an irresistible inspiration. Fac-similes are distributed and devoured, one after another, at a racing pace. The bewildered pupils are kept on the alert by the exclamations, objurgations, jests and piquant remarks which M. Gautier lavishes in the most familiar style. "What are you giving me there?—Well read!—Bravo!—That's right!—To be sure!—What is that letter which surpasses all the others as Calypso did the other nymphs?—Courage!—Come!—Come!" etc. And M. Gautier snapped the fingers of both hands, gesticulated and cried out as if to rouse and encourage a team started at full speed, urging, scolding, goading the pupil who reads, apostrophizing the others, drawing all the class into a giddy whirl of amusing paleography.

M. Adolphe Tardif teaches civil and canonical law of the Middle Ages with calm and somewhat monotonous serenity. He is a gray-headed man, of portly figure, wearing a heavy moustache. He has a serious air and a thoughtful face. I heard him give two valuable lectures upon wills and contracts. At each lecture he dictated a set of questions that might be

expected at the examination in those subjects. His style was methodical, clear and interesting, but a trifle heavy. He referred to no special books or monographs, though he noticed and criticized one treatise without giving its name or the name of the author. He stated that within three years seven books upon mediæval French contracts had appeared, five in Germany and two in France; but again he abstained from giving names. This dogmatic style rendered his clear and sound instructions somewhat spiritless.

I attended two of M. de Montaiglon's lectures on bibliography and the classification of public libraries and documents. They were familiar talks, delivered with a smiling countenance, eyes twinkling with benevolence and a modest good humor that recalled Professor W. Wattenbach of Berlin. M. de Montaiglon stated the principles that ought to govern the arrangement of a library, giving a brief history of the libraries at Troyes, Paris and the British Museum and distinguishing theoretical rules from the results of experience. His precepts were mingled with anecdotes and curious details, interesting remarks and digressions. In his course upon national records I heard him give the history of the administrative measures taken since the eighteenth century in France for the preservation of public depositories; he drew therefrom the principles upon which good cataloguing is based. He especially insisted upon the unexplored wealth of French chronicles, particularly in the South, where the deplorable indifference has been broken through most often, he said, by investigators from the North. M. de Montaiglon gave a multitude of accurate details concerning many municipal records. His learning was prodigiously impressive, although dissembled under his almost paternal simplicity. He spoke with much interest of the records of provincial scribes, citing the case of that scribe of Amboise who is believed to have possessed among his papers the will of Leonardo da Vinci, but refused to permit investigation. This desultory course conveyed many valuable suggestions. The greatest familiarity existed between

the pupils and the master, who loved to receive his young associates at home and gladly directed their reading by such counsel as only a living encyclopædia like him could presume to give. No student at the School of Charters failed to appeal for advice in writing his thesis to the wisdom and good nature of M. de Montaiglon. This enviable prerogative he shares with his sympathetic colleague, Léon Gautier.

M. de Mas Latrie teaches diplomatics. I heard him upon diplomas, sealed letters, letters patent, seals, monograms, etc. The lesson was concluded by reading fac-similes of charters of the eleventh century, the difficulties of which rendered the reading somewhat slow. It seemed to me M. de Mas Latrie carried an air of weariness which was reflected from his audience. He is a distinguished scholar and the author of some remarkable works; but his course in diplomatics at the School of Charters holds no very important rank among his interests.

M. Roy has charge of the history of French political, administrative and judiciary institutions. I heard his lecture upon the taille and the exorbitance of taxes under the old regime. The details concerning the States General of 1484, the exactions of the son of Henry II, Colbert's attempts at reform and the financial scheme of Vauban, were very well arranged. The lecture was instructive, sound and methodical.

M. de Lasteyrie succeeded Quicherat in mediæval archæology. M. Roy and he, both former pupils of the School of Charters, are its youngest professors and do it great honor. In the two lectures I attended M. de Lasteyrie was occupied with feudal military dress. He referred to a great many works and drew in chalk upon a huge blackboard warriors of the Middle Ages after the tapestry of Bayeux, the prints published by M. Demay, the books of Viollet-le-Duc, etc. One of the two lectures was devoted to the history of the feudal helmet and the iron head-gear of inferior warriors from the eleventh century to Francis I and Henry III. M. de Lasteyrie is a very engaging teacher, though he speaks with extreme simplicity,

neither raising his voice nor hastening his delivery. A special charm is added to his lecture by the elegance and precision with which he sketches each object of which he speaks. At the close of the lecture he reminded his pupils that he expected to meet them all the next morning at seven o'clock at the Orleans station to conduct them on an archæological expedition to Étampes. It is easy to see the advantage of such excursions under the guidance of a young, agreeable and thoroughly competent master.

The School of Charters seemed to me an institution without equal. Together with the Practical School for Advanced Study it furnishes the most solid, complete and truly scientific historical instruction to be found in Paris.[1] The stranger may well envy France its School of Charters, already ancient; Germany, so well equipped in its universities for history and its accompaniments, has yet, to my knowledge, nothing parallel. Of late years Austria has founded an institution copied from the School of Charters, calling to its head Dr. Theodore Sickel, a free listener at the latter school.

III. The Higher Normal School.

The Higher Normal School is still more ancient than the School of Charters.[2] After the expulsion of the Jesuits, as early as 1761, France was roused to the necessity of establishing "a school for teachers;" but the project did not take shape. In 1795 the Convention laid out some normal courses; but it was the Empire that founded the Normal School in 1808, and the Restoration at first maintained it. Among its pupils at

[1] The annual income of the School of Charters amounted in 1881–1882 to 59,300 francs. The minister frequently increases the allowance to meet extra expenses or to facilitate the archæological excursions of the pupils, not to mention gifts of books which average about 2,000 francs in value each year.

[2] The *Statistique de l'Enseignement supérieur* for 1865–1868 contains (pp. 481–498) an interesting history of the Higher Normal School, of which I will give a short sketch.

that period were Victor Cousin and Augustin Thierry. In 1822 the Normal School was abolished by royal order and replaced by "sectional normal schools" at Paris and elsewhere, established only to excuse the suppression of the original school and immediately left to die. But as soon as 1826 the need of the abandoned school was recognized and it was re-established under the name of the Preparatory School with a two years' course of study. Pupils were admitted "after a preliminary examination in their religious principles, their morals and their scholarship." Furthermore, the provosts of the Academy had to procure references in regard to the pupil's means and "the political and religious standing of his parents."

On the 6th of August, 1830, a decree of Louis Philippe, then lieutenant-general of the realm, gave to the Normal School its present name. Victor Cousin extended the course of study to three years and introduced a new and more generous rule whereby the school was enabled to become the foster-parent of eminent writers and professors. The republic of 1848 effected some trivial changes and took care to appoint a military uniform, with tunic and sword, which fortunately was worn but a year. The second empire proved at first hostile to the school; and, like the Restoration, devoted itself to the religious principles of the pupils. It was then that M. Fortoul, minister of public instruction, erected the chapel which is still standing. With 1857 came a reaction, and to-day the most liberal spirit pervades the management. M. Fustel de Coulanges has succeeded the lamented Bersot as director.

The quarters assigned to the school were for a long time very unsatisfactory. Beginning with 1826 it was located in the ancient college of Plessis, which an official document does not hesitate to call "those aged structures, propped up on all sides and threatening to fall, damp, unwholesome, inconvenient and insufficient." The ministers Guizot, Cousin and Villemain succeeded, after long delays, in obtaining the handsome buildings the school has occupied since 1847.

These extensive buildings, in the *Rue d' Ulm, 45,* near the Pantheon, are surrounded by well-shaded gardens. The great interior square, with its fountains in the centre, its stone seats, its walks of fine gravel, its fresh shade and white marble busts, all invite to study and meditation. The corridors on the ground floor, well supplied with casts of ancient bas-reliefs, resemble cloisters, lighted from the central court, and leading to the chapel where burns a solitary lamp. There is talk of converting the chapel into a laboratory.

The other rooms are not equal to the foregoing in beauty and impressiveness. They are poorly ventilated and poorly lighted. The walls are bare and of gloomy tints. The great low tables and benches of massive oak, arranged squarely along the walls, worn and scratched with hard use, are heavy and cumbrous. The pupils who sit between the windows cannot see; others have the light in their eyes, and nearly all have to climb over their tables to find their seats. The effect is not entirely pleasing. Through the windows, however, is visible the green of the noble trees, and just outside the door are the cheerful corridors with their classic decorations.

The pupils are subject to restrictions of excessive severity.[1] Aside from attendance upon the lectures at the Faculty of Arts, the College of France and the Practical School, they can leave their quarters only on Sunday, from eight in the morning till ten or half after in the evening, according to the season, and on Thursday, from noon till ten in the evening. Only once a month are they allowed even a moment's grace. Nevertheless the intercourse of these young scholars, brought together from all parts of France, is an excellent element in their development. Friendships are formed that are lasting

[1] See "Rules for the internal discipline of the School" in the "*Statistique de l'Enseignement supérieur*" for 1868, pp. 700, 702. This document contains certain vexatious and unusual provisions. See also a study called "*L'École normale supérieur de Paris,*" by two of my colleagues in the University of Ghent, MM. Motte and Thomas, who visited the school with me. (*Revue de l'instruction publique en Belgique,* Vol. XXIV, 1st and 2d parts, 1883.)

and fruitful for science. It would be well to make the regulations less exacting, but to abolish the *internat* would seem to me a serious mistake. Old pupils, since become historians of great merit, have assured me that, although they suffered much from the severity of the rules, they remembered life within the school with great pleasure and that they worked far better there in the midst of comrades engaged in the same study, than if they had lived alone and homeless in Paris.

The Higher Normal School has a maximum of 135 pupils, unequally divided between sciences and arts. I will notice the latter only.

As at the School of Charters, candidates for admission must show a bachelor's degree. In 1882 there were 181 candidates, of whom but the first twenty-five could be admitted to the full privileges of the school. To the next thirty-five were granted scholarships for preparation for a master's degree, on condition that they follow the course of one of the French Faculties of Arts.

The Normal School has a three years' course. At the end of the first year is given the examination for the degree of M. A.; those who fail, after a second trial in the November following, leave the school. Between the second and third years is an easy pass-examination. At the end of the third year comes the fellowship examination, the flooring of which entitles to an allowance of some hundreds of francs, in the provinces 1,000 francs.

During the first two years no courses outside the school are taken. Formerly the students attended the lectures of the Faculties; but as these courses, then purely oratorical, were of so little value that the students chose rather to walk than to attend them, they were discontinued. Only pupils of the third year take courses at the College of France, the Faculties and the Practical School.

The first two years are alike for all students; they comprise philology, literature, philosophy and history. In the second year, with the master's examination behind him, the student

begins his elective studies and develops his special tendencies. The few who enter the school already possessing their master's diploma can work during the first year free from this all-absorbing anxiety, an inestimable advantage.[1] The third year is divided into four sections from which it is necessary to choose: grammar (or philology), literature, history and philosophy.

At present, history is divided as follows: The first year there is a course in ancient history, with two lectures a week by M. Ernest Desjardins. The second year M. Gabriel Monod likewise devotes two lectures a week to mediæval and modern times and requires the students to attend the review lectures of the third year. The department of history for the third year consists of courses in history and in geography. M. Desjardins gives two lectures a week on ancient history, M. Monod on mediæval and modern history, and M. Vidal de Lablache on geography. As at the School of Charters the lectures are an hour and a half long. Further, the students of the Normal School pursue M. Bouché-Leclerq's course in ancient history and M. Ernest Lavisse's and M. Pigeonneau's mediæval and modern history at the Faculty of Arts, as well as special historical courses by MM. Rayet and Roy at the Practical School. In addition to the required courses, still others may be elected according to the pupil's inclination; consequently the outside courses are very various. In a word, only about three hours a day are required for the course, leaving, as at the School of Charters, great freedom of choice.[2]

Beginning in the second year the history pupils write out serious and somewhat profound work. M. Monod names yearly

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[1] Five out of the twenty-four had entered with this advantage in 1881–1882.

[2] The program of the history section is as follows: Third year, 1881–1882; *Monday*, at 1.30 o'clock, Ancient History, M. Desjardins; at 3 o'clock, Geography, M. Vidal de Lablache; *Tuesday*, at 8, Mediæval History, and at 9.30, Modern History, M. Monod; at 10.45, Ancient History, M. Bouché-Leclerq, at the Faculty; at 3, Ancient History, M. Desjardins; *Wednesday*, at 3, Geography, M. Vidal de Lablache; *Thursday*, at 9, Studies upon Church and State in France in the 8th century, M. Roy, at the Practical School;

about forty subjects from which they choose, but they are permitted to write upon any other subject at will. The following are some of the subjects recommended in 1881 : the policy of Pope Gregory the Great, the policy of Pope John VIII, the capitular of Kiersy-sur-Oise, the relations of the Lombards to the Papacy, the diplomacy of Emperor Henry VII, etc. According to the rules of the school each pupil is obliged to submit to the professor his written historical work; but from pupils who will not devote themselves to history M. Monod insists only upon oral reports, given after serious preparation, of some special subjects; as, for example: customs of the tenth century according to *Chanson de Roland*, customs of the eleventh century according to *Chanson des Loherains*, etc. These students may even deal with the analysis and criticism of a new book. Out of the twenty or twenty-four students who usually reach the second year about fifteen or twenty write their work.

Students of history in the third year continue to follow M. Monod's course with the students of the second year, to whom they lecture. With this third division alone M. Monod studies most deeply the subjects belonging to the fellowship course, of which I shall speak more at length. It is not, however, a hot-house forcing; the students delve into the work under direction of the professors, not content simply to pass the examination. They have also lectures and work in ancient history with M. Desjardins and lectures in geography with M. Vidal de Lablache.

I attended one of M. Desjardin's lectures to the history section. There were four in the class. The professor wrote on the blackboard the genealogy of Constantine the Great,

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at 10.45, Formation of the Prussian State, M. Lavisse, at the Faculty; *Friday*, at 8, Mediæval History and at 9.30, Modern History, M. Monod; at 5, History of the royal power in France in the Middle Ages, M. Lavisse, at the Faculty; *Saturday*, at 12.45, Latin Epigraphy, M. Rayet at the Practical School; at 5, Studies upon the condition of persons and lands at the beginning of 1789, M. Pigeonneau, at the Faculty.

giving at the same time many biographical and epigraphical details. He had brought a little case of medallions and coins of Constantine, Julian, Valentinian and Theodosius; these he submitted to the students with very interesting comments. He characterized briefly the sources of history for this period and the modern works on Constantine. He mentioned the vexed question of the *Portus Iccius,* endeavored to refute the opinion of the archivist Alph. Wauters of Brussels, who had declared himself for Wissant and related how Marietta, born at Boulogne and possessing a country-seat at Pont-de-Brignes, discovered near by, at Isque, the probable location of the *Portus Iccius.* He then added some general remarks upon the sites of ancient Gallic ports. In connection with the itinerary of Constantine he called attention to the regard for geograraphy shown even in the midst of the most incredible legends, as in the Lives of the Saints, and emphasized the immense interest that would attach to a methodical scrutiny of the geography of Lives of the Saints. M. Desjardins thus again and again engrafted upon the different branches of his subject the most curious digressions. He spoke of a book whose first volume had appeared the day before, *Institutions politiques romaines* by M. Mispoulet, which he ranked above the *Manuel d'antiquités romaines* by M. P. Willems, professor at the Catholic University of Louvain, at the same time paying high tribute to the Belgian professor's work.

The geographical instruction is under the direction of M. Vidal de Lablache. I heard a third-year pupil recite before the professor and class of three upon the basin of the Mississippi. The German chart by Sydow was displayed upon the wall as a guide. The pupil had conscientiously studied his lesson and rehearsed it clearly until he became too much involved in details. When he had finished M. Vidal de Lablache criticised the performance with exquisite tact and himself undertook the recitation, pointing out the pupil's omissions and errors. Another day the lesson began with a pupil's presentation of historical geography according to Ar-

rian's Periplus of the Pontus Euxinus, one of the subjects of the fellowship examination. The class followed in C. Muller's annotated edition. The speaker cited Strabo and other ancient geographers to explain the thirty-seventh and the last chapters of the Periplus. M. Vidal de Lablache interrupted from time to time, to touch up or correct. Then Arrian was put aside and the professor lectured upon Russian Asia. The chart they used was the beautiful German chart of central Asia, edited in Vienna by Dr. Joseph Chavanne. M. Vidal de Lablache interrupted his lecture with a most interesting history of the Russian conquests in Asia, especially in Turkestan. The races, the ancient beds of the Oxus and Jaxartes, the rivalry between Russia and England and the history of discovery in Asia, all formed subjects of curious and concise remarks. M. Vidal de Lablache delivered his lecture with a charming simplicity which served to enhance the authority his words carried.

The most important historical course in the school is M. Monod's. The scholarly manager of the *Revue historique* exercises a marked influence upon the scientific development of the embryo historians, as much by his lectures in theory as by the practical drill that he directs. In his theoretical course, covering two years, M. Monod brings in review before the students of the second and third years, the institutions of ancient France. In 1880–81 he devoted the first semester to the Carlovingian epoch and the kings up to St. Louis; the second semester to institutions of the eighteenth century. In 1881–82 he took up first the Merovingian institutions, afterward those of the sixteenth century. In two of the lectures I attended M. Monod spoke of judicial reforms of the sixteenth century, of the *procureur* or public prosecutor, of the *mercuriales*, of the chancellors and keepers of the seals, of edicts and their registration, of the bench, of the parliaments, of the venality of the judicial offices, of court fees, etc. He constantly referred to special works and to collections of documents, giving many graphic and very accurate details. A

vast amount of scientific labor was disguised beneath extreme simplicity. His teaching was sound, conscientious and attractive, and would have been faultless but for a certain timidity of delivery. Infallible as he is, he is too modest in the statement of his opinions. It is his one fault; but in spite of that I hope some time to see a complete manual of his excellent course on the antiquities of France under the old regime.

Last of all, I heard a third-year pupil recite under M. Monod's direction. His subject was feudal laws in France about the time of the great revolution, and the performance was methodical and elaborate. The pupil frequently cited M. Taine and the documents he has made conspicuous, Arthur Young's Travels, for instance. M. Monod then searchingly criticised the method of the recitation and its historical ideas. His remarks were very clear, just, and simply expressed, forming a wise and instructive commentary on the subject in hand. At the close of the lesson M. Monod assigned subjects for similar work to three other pupils: the village in 1789, the internal organization of towns at that epoch and the position of the nobility at the breaking out of the Revolution. These lectures by the pupils in preparation for the history fellowship examination are pervaded by a liberal and essentially scientific spirit.

IV. The Practical School for Advanced Study.

The Practical School for Advanced Study is the most admirable and fruitful creation of M. Victor Duruy's able ministry.[1] Before his time the Faculties of Arts scarcely deserved to be classed among institutions for advanced study; brilliant and eloquent public lectures were given, not at all for the pupils, but for an ever-changing audience of intelligent

[1] For the reforms and improvements introduced into France by M. Duruy during the six years (1863–1869) of his administration, see *l'Administration de l'instruction publique* (Paris, Delalain, 1870), and *Circulaires et instructions officielles relatives à l'instruction publique* (*Ibid.*).

free-listeners, ladies, and idlers of all sorts. Beyond this the chief function of the professor seemed to be examination. It could be said without exaggeration: "The Faculties are only a jury to examine for bachelor's and master's degrees. The course is scarcely six months long, since four months are devoted to examinations. At a pinch the administration permits a professor to omit his lectures provided only he is punctual at the examinations." [1]

The situation is such that M. Duruy in a report on advanced instruction, submitted with the greatest publicity to Napoleon III in 1868, did not hesitate to say: "While the Faculties that prepare directly for certain professions like the law and medicine find on all sides vast numbers of disciples, the Faculties of arts and sciences are in more than one place languishing, and nowhere assemble a community of serious students. The listeners are of all ages and conditions, attracted by the professor's eloquence, but in no way subject to that continuous contact with him which alone constitutes effective teaching. We have no fear that our professors will lose the peculiarly French tradition of polished, clever and even eloquent discourse; but they will unite with it, as many already do, didactic discourse.[2] For the end of advanced teaching is not merely to rouse a love for study: it aims, above all things, to impart to the hearer methods of study and the science which those methods have created. In Germany such men as Boeckh, Ritschl, Welcker, Ranke and Raumer gave, or give, to their lectures from eight to ten or twelve hours a week; but the lectures do not demand such preparations as our professors make. They are, rather, minute directions, carefully noted down by the students and used for reference. Thanks to the habits of study thus formed, Germany can always furnish for every branch of human knowledge several distinguished masters, each one surrounded by numerous disciples. France

[1] G. Monod, work cited, Note 2, p. 44.

[2] This assertion was perhaps a little too optimistic in 1868.

possesses, beside the eloquent professors who draw their daily hundreds of auditors, noted scholars whose worthy followers are as few as their competent critics; it is such chairs that sooner or later stand empty."[1] That these statements were made by the minister to the emperor gives them emphasis enough.

At the same time there were in certain Faculties some rare professors who took pleasure in surrounding themselves with pupils and in privately directing their work in "minor lectures," so called to distinguish them from formal public lectures.

The vice-provost of the Academy of Paris, M. Gréard, referred to the subject recently, betraying how vague the conception still remains: "St. Mark Girardin, who first introduced at the Sorbonne the minor lecture in addition to the regular, said: 'Between the two I see but one difference; in the former, devoted to the reading of text, I work under the eyes of my pupils and teach them how to work; in the latter I bring them the work already done.'"[2]

Among the veterans of the *Facultés des Arts* at Paris, the pioneers of the advance, M. Egger deserves special mention. He has always made his hearers pupils, directing them and even giving extra lessons. I have been told, too, that Michelet, while professor at the Normal School and at the College of France, surrounded himself with optional students. But these were isolated attempts, and oratorical lectures constitute almost the only teaching of the *Facultés*.

M. Duruy, grasping the extent of the evil, had resolved to remedy it by substituting regular students in place of a floating audience and by creating libraries and laboratories. But, beforehand, he instituted in 1865 and 1866 a general inquiry into foreign methods of teaching. French ambassadors, ministers plenipotentiary and consuls received a list of questions to

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[1] *Administration de l'instruction publique* (1863–1869), pp. 717–719.

[2] Gréard, *l'Enseignement supérieur à Paris*, 1881, p. 43.

be answered. Soon their reports poured into Paris, and among them were some very remarkable ones. The vice-consul of France at Koenigsberg, M. Dahse, sent an admirable paper upon the university of that town. M. Karl Hillebrand, then professor at the University of Douai, was sent to Germany, Holland and Belgium;[1] MM. Demogeot and Montucci to England. Their reports also were most interesting and useful.

All this preliminary work was in preparation for the reform; but the greatest difficulty was met in the Faculties themselves, almost all the professors being strict partisans of the existing methods. M. Duruy then decided to avoid the obstacle by leaving the *Facultés des Paris* as they were and establishing the Practical School in opposition to them. He is credited at this juncture with the keen observation: "The Faculties are an old wall which I have not power to overthrow; but in its fissures I will plant the new school and I expect the roots of the young plant will creep into the cracks and finally ruin the old wall."

By an order of 31st July, 1868, the Practical School for Advanced Study was established.

In his reports to the emperor, previous to the order, M. Duruy did not hesitate to insist again upon the insufficiency of the instruction given by the Faculties, somewhat softening his criticisms: "It would be useless," said he, "to deny that in arts our advanced teaching promises more than it performs, through the fault not of the professors but of our methods. The masters have to address a public which may change with every lecture and which, coming to listen for an hour to a well-turned speech, would be disgusted by dry didactics. They are then bound to put their lectures into well-studied form. The time devoted to such work is far from being lost, and these graceful, clever and often eloquent lectures,

[1] See K. Hillebrand, *De la réforme de l'Enseignement supérieur*, Paris, 1868.

sometimes garnished with applause (with which I could gladly dispense), tend to raise the level of public intelligence and, at a time when literary improvisation rules, they happily maintain the demand for hard and patient study. This alone is an invaluable service to the country. Let our *Facultés des lettres* continue to attract its crowds of listeners, but give it also the means of securing and forming true students. Instruction addressed to the latter will take a new character; the student will not, like the occasional listener, demand that he be moved or amused, but that he be taught. The professor can go to him without laboriously compiling his lecture according to the rules of art; it is enough that he carry his knowledge and find out how to communicate it in familiar and fruitful intercourse. As soon as our professors shall, like those of German universities, have true disciples, though they keep the precious qualities of our national genius and preserve the art of speaking well, inseparable as it is from the art of thinking well, they will devote more time to the cultivation of literary and historical learning so high in honor beyond the Rhine, now of too little account with us."[1]

To attain this end M. Duruy had already instituted, a little time before, in some colleges in the country, "didactic exercises," under the name of Secondary Normal Schools, whose courses were to open in October, 1868;[2] but at Paris, in spite of the Faculties, he deemed it necessary to found an entirely independent organization—the Practical School for Advanced Study. He justified this action to the emperor as follows:

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[1] *L'Administration de l'instruction publique* (1853–1869), pp. 646, 647.

[2] In a circular of 25th March, 1868, M. Duruy says: "The professors of the Faculties have lectures to give at the Secondary Normal Schools. They will find there a worthy audience; not a floating audience that listens to lectures by the way, but earnest students, capable of doing credit to the zeal and ability of their masters." At Paris, also, M. Duruy organized some free courses, more scientific than those of the Faculties, the lectures being given in Gerson Hall and attended almost exclusively by students. Among the young men of talent to whom M. Duruy entrusted the delicate task of assailing thus the traditions of oratorical lectures were MM. Gaston Paris, Rambaud and Léger. These lectures in Gerson Hall fell with the Empire.

"The young man who feels within him the hidden flame that will perhaps burst forth into genius; the man who has completed the usual courses of study or who finds them distasteful; the man who cherishes no hope of a lucrative career or who, from an already secured position, is irresistibly drawn toward pure science; such an one cannot find in all our scientific establishments the necessary means for advancing quickly and surely in the way his genius leads.

"At the College of France, at the Museum, at the Sorbonne, at the Medical School, he finds eminent masters to whom he may listen; in our public libraries, books upon which to ponder; in our collections, objects to study. But too often he is deprived of precise direction, of special counsel, of encouragement; what his books or his masters teach he cannot verify or enrich for himself by observation and experience. Then he perceives that the scholar is formed, not alone before the professor's chair where the public may sit, but in the laboratories which are now closed upon him, in the midst of those books, manuscripts and collections where he must learn to seek and find the hidden truth. Among the attendants upon the lectures, looking at science only from afar, there are, without doubt, some whose energy increases in this very isolation and who, by force of will, learn to procure everything with nothing; but the number of such is small. How many stop discouraged by difficulties, and even by those who succeed, how much time and effort is lost! Keen and devoted masters sometimes discover these persistent geniuses and encourage them. Such encouragement is a secondary end of the proposed decree, to be gained by establishing, near our existing universities, special schools whose union will form *L'École pratique des hautes études.*

"This school will be divided into four sections: mathematics, physics and chemistry, natural history and physiology, history and philology."[1]

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[1] *Circulaires*, etc., pp. 652, 653, 654.

Speaking further of this fourth section, M. Duruy well said: "For philology our schools teach only the classics; for history only general ancient, mediæval and modern history. The College of France, faithful to its origin, has chairs for the different branches of historical learning, but there again is found an audience and not students.

"The curriculum of this section indicates various works on archæology, linguistics, epigraphy, paleography, comparative philology, general grammar, historical criticism, etc., which are to be taken up under the direction of skilful masters, capable of forming rivals and successors to themselves."[1]

M. Duruy foresaw that the success of his bold attempt at reform depended chiefly upon the men chosen to carry it out; he therefore appointed as directors and lecturers men who were absolutely independent of all university tradition. The directors were M. Léon Renier, librarian at the Sorbonne, who was placed at the head of the school, with the title of president—"a happy choice;"[2] Mr. William Waddington, of Oxford, an amateur Hellenist, who has since become superintendent of public instruction; M. Michel Bréal, who had brought from Germany unyielding notions which seemed monstrous to the old universities; and M. Alfred Maury, director of the national records, for historical sciences.

To the amazement of all M. Duruy had chosen for his faculty young men of no reputation, in whom he had with remarkable sagacity discovered ability and originality. They were truly a company of independent spirits, some of whom would never be expected to fill official positions. One was the son of a legitimist who had refused to give lessons to an empress; another had, on graduating from the normal school, renounced teaching because he was unwilling to take the oath to the empire; a third had come from a theological seminary; a fourth was a Sanskritist almost entirely self-educated; a fifth

[1] *Circulaires*, etc., p. 655.

[2] Preface to *Mélanges*, published by the history and philology section of the Practical School in 1878, at their tenth anniversary.

had been brought up by a disciple of Jacotot and had never been inside a college or university. The others were as remarkable. Let me add that all these young lecturers had to content themselves with nominal salaries, since the reforming superintendent lacked funds.

M. Alfred Maury was director of history; and M. Gabriel Monod, who had returned from Germany where he had worked one semester at Berlin under the direction of Koepke and another at Göttingen under Waitz, was chosen as lecturer in history. In December, 1868, since the history and philology section had as yet no rooms, M. Maury assembled at his house the professors and their prospective pupils; professors and pupils were of nearly the same age. At this meeting it was decided to organize practical work in history. The lectures were to be given at first in M. Monod's modest study in the *Rue de Vaugirard.* Some time afterward M. Léon Renier obtained for the school a couple of small rooms in the library building of the Sorbonne.

Such was the modest beginning of the school which has done so much to reform scientific thinking and teaching in France. The first year the philology and history section of the school contained only a handful of students scattered through eight courses. To-day there are twenty-five professors giving more than fifty courses with a proportionate number of students, among whom there is every year a large contingent of foreigners, proving the reputation the school has already gained outside of France. Among the specialists whom the school has produced in history alone there stand in the first rank the lamented Charles Graux, MM. Longnon and Hanotaux, now lecturers, MM. Mispoulet, Thédenat, etc., not to mention MM. Giry, Roy, de Lasteyrie and several other pupils of the School of Charters, who have been greatly influenced by the Practical School.

Since its institution, the history and philology section has been located on the fourth floor of the right wing of the Sorbonne in the small rooms of the university library. The

rooms are low, almost garrets, opening together by means of glazed doors, their walls lined with books from the floor to the ceiling; they are true laboratories for a philological and historical course; one has only to turn his hand to find the works he wishes to consult. Between lectures, masters and pupils are constantly searching right and left through the shelves. The advantages are incalculable.

Flat tables, painted black and furnished with simple ink-stands, extend between the overflowing book-cases. In each room a white porcelain stove, mounted on a pedestal and covered with shining brass ornaments, shines amid the black tables and the musty brown books. The little low windows, of which there are, however, a sufficient number, look out upon the quiet court of the Sorbonne, with the church opposite. The deep-toned clock at every quarter-hour rouses the students bowed over their books. Everywhere there is a calm and studious atmosphere to which even the narrowness of the rooms adds a peculiar charm. Such harmonious surroundings a student will never forget. It seems to me that if the school ever leaves them for grander quarters it will lose something very precious.

Theoretically the students pass three years in the school and are divided in each course into three separate years; but this rule is by no means invariable and students often remain longer. Indeed, most of them stay as long as possible where they never lack instruction, where counsel is lavished upon them by devoted and learned masters and where their first efforts are met with kind and wholesome severity. Many make great sacrifices in order to prolong their stay beyond the regular three years. Not infrequently foreigners, graduates of the best universities, come here to take a year or two under professors whose renown is world-wide. To obtain the diploma—an honor much sought, though given for scientific work alone—a thesis must be presented and accepted by the authorities before the end of the fourth year.

Mr. Alfred Maury is still director of history, with M.

Monod as assistant. The lecturers are MM. Thévenin, Roy, Giry, Hanotaux, and Longnon. There are besides, among the philological courses, lecturers on Greek and Roman antiquities, on epigraphy and paleography, under MM. Rayet, Desjardins and Chatelain, within the limits of history proper. The students, however, attend the lectures as they think best. At the beginning of the year they are obliged to enroll their names for the courses they wish to take, and at each lecture they have to sign the roll, the only means of control in vogue. They have to prepare for oral work and for written work upon special points. All the instruction tends to inculcate strictly scientific methods and to enlist the personal efforts of the student. The organization of this school by M. Duruy, in 1868, was certainly a radical innovation in France.

I cannot here give the full history of the Practical School.[1] I will merely say that one of the difficulties which threatened the enterprise was recruiting pupils. It proved to be no difficulty. From the first year the matriculations surpassed the hopes of the most sanguine. There were, and there still are, as might be expected, few undergraduates from the *Faculté des Lettres*; but many came from special schools to finish their course. Students of the Higher Normal School feel the need of learning Greek paleography, of practice in deciphering, in criticism, or in translation of texts; students from the School of Charters, destined to become archivists and librarians, in great numbers seize the opportunity of extending their knowledge of old French and of romance idioms, or of studying more closely the sources of French history. There are even professors to be found there, as well as employés of public libraries, amateurs, and yearly increasing numbers of foreigners, all seeking advancement in their specialties.

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[1] The first years of the Practical School were hard ones, especially after the events of 1870 and 1871. That the school did not die then is due largely to the efforts of M. Du Mesnil, director of advanced instruction. (See reports of the history and philology section.)

By order of the Minister, 16th June, 1869, there was begun under the name of Library of the Practical School for Advanced Study, a collection destined to receive the joint works of the classes, together with the individual works of the various members of the school, either pupils or masters. Translations of foreign works, as of Mommsen, Max Müller, G. Curtius, Sohm, etc., are also put there. Among the original historical works are M. Monod's excellent book, Critical Studies upon the Sources of Merovingian History; M. Longnon's first remarkable discussions on the Historical Geography of Gaul; M. Fagniez's interesting studies of Industries and the Industrial classes of Paris in the thirteenth and fourteenth centuries; M. Arthur Giry's beautiful History of the Town of St. Omer and its Institutions up to the fifteenth century; the learned study of the Counts and Viscounts of Limoges previous to the year 1000, by M. de Lasteyrie, etc. Several of these works were honored by the *Académie des inscription et belles-lettres*, and the library has established the reputation of the school throughout France and abroad.[1]

M. Alfred Maury gives no course of lectures, but his assistant, M. Monod, gives two. I have spoken above of the work M. Monod does at the Normal School. Few professors have done as much as he in late years to revolutionize the study of history in France. He created the course of history at the Practical School, he was one of the chief contributors to the *Revue Critique* in its first brilliant stage and he founded, in 1875, the *Revue Historique*. All learned Europe appreciated these two reviews as indices of a decided advance in French science. There is no question that the *Revue Historique* has distanced its oldest rivals at home, while it is most justly celebrated abroad.

M. Monod recently aided actively in the formation of the historical society called *Cercle Saint-Simon*,[2] of which he was

[1] At the Vienna Exposition the Practical School received the only honor awarded to a French scientific institution.

[2] See the *Bulletin* of the society, Jan. 1883.

made president and which will surely have a considerable influence in gathering into one group all those Frenchmen that pursue history from various starting points, but with the same impartially scientific spirit.

I attended two of M. Monod's lectures upon Latin sources of the history of France up to the sixteenth century. The professor alone spoke and the students took notes. There were about twenty present, including a young priest. M. Monod described the historical school at Rheims in the tenth century, and characterized Flodoard and Richer, and the chroniclers of the eleventh century, especially Raoul Glaber. I shall cause no surprise by saying that these lectures of M. Monod's were excellent; his efficiency in this subject, his wisdom, his complete and conscientious investigations are well known. While giving due appreciation to the historical value of these old chroniclers, he gave a graphic sketch of their period and a most curious picture of the intellectual movement in which they had part. As at the Normal School, M. Monod spoke with the utmost simplicity and with modesty amounting almost to timidity. He referred often to monographs and special books. This lecture was charming in its solidity, clearness and orderliness, joined to a picturesque but sober and delicate fashion of characterizing men and times.

M. Monod's second lecture was devoted to true seminary work. I attended two such lectures. A dozen pupils were present and one of them related the result of his personal investigations. He had been studying from sources the very complicated history of King Robert, son of Hugh Capet, and especially the history of his marriages.

The student had done an enormous amount of work and spoke with a sympathetic air of conviction that was charming. He had before him a large bundle of notes and extracts, from which he produced with astonishing memory and rare presence of mind dates, citations of chronicles, texts of charters, discussing and correcting *L'Art de vérifier les dates*, etc. I shall be greatly astonished if this ardent student does not render

history a service when he shall have entered upon his career. I cannot resist the temptation to give his name, which I expect later to see upon books or solid monographs. He was M. Pfister, a third-year student of the Higher Normal School. The rest of the class, a little bewildered by his exuberant learning, took a great many notes and were almost all keenly interested in his inexhaustible developments concerning the wives and the conjugal quarrels of King Robert. The old university-men would have laughed well if they had been present; for the subject and the scrupulous style in which it had been studied would rouse the smile of a superficial hearer. But, for my part, I was delighted. I found again there, in the Sorbonne, that stronghold of university tradition, the same ardor for accurate and persistent work which characterizes German seminaries and I joyfully welcomed it as the history of the future in France. I cannot find words to express how much M. Pfister pleased me with his Benedictine zeal or how gratifying was the interest with which his careful work inspired his fellow-students. Meanwhile M. Monod kept himself in the background as much as possible in order to leave his pupil's originality full play, listening attentively with bowed head, two fingers of his left hand pressed upon his lips or readjusting his eye-glasses from time to time before making slight corrections. After the reading he would begin the discussion, bring out the points more clearly, indicating the results obtained and the questions left obscure. Here, again, I admired the excellent professor's sagacity and tact.

M. Thévenin devotes his time especially to questions of mediæval law. While officer in the French army he was seized with a passion for jurisprudence. He studied law by himself, resigned his commission and went to a German university. In 1870 he was a pupil of Waitz at Göttingen when the Franco-Prussian war broke out. He immediately returned to France, again took arms and went through the campaign of the Loire. After the peace he returned to his favorite studies and, fortunately for the school, attached himself to *L'École Pratique*.

There were five students, three French, one Hungarian and one Roumanian at the two lectures I attended, who were at work upon critical study of the Salic law. At the first of these lectures the subjects were a real-estate claim of the ninth century and an infringement of the right of property. M. Thévenin gave his pupils several documents of the years 867 and 868 to read and requested remarks while he presented a profound commentary upon the texts. All the special procedure of the time was derived from them. Then he went on to a case of brigandage in Dauphiny in 863. Again a pupil was made to read the Latin text of the principal piece, while the professor, with his fine grave head, his black moustache and gray hair, stood erect before the blackboard, buttoned into his straight frock-coat. He wrote slowly the technical expressions of the document, giving their etymology, their various meanings and their weight at different epochs. These explanations of the judicial language of the ninth century were at the same time philological and historical and M. Thévenin presented them clearly and methodically. He ended the lecture by indicating books and treatises to be consulted, referring to French, German and Italian authors.

At the next lecture M. Thévenin began by mentioning and describing the principal works upon the penal procedure of the Merovingians, citing among others the books of M. Thonissen, professor at the Catholic university of Louvain, upon *Le Droit de vengeance dans la législation mérovingienne et la procédure pénale de la loi salique.* Next he entered into general considerations of criminal procedure in cases of murder, rape, abortion and adultery in the ninth century. He wrote continually upon the blackboard decisive quotations or difficult technical terms which he commented upon or explained. Notwithstanding the dryness of the subject his teaching was very spirited. Even so incompetent a listener as I would feel from the very start that he was in the hands of a master sure of his subject and as conscientious as he was learned.

One of M. Roy's lectures turned upon sources of history of

the thirteenth century; unfortunately I was unable to attend it, but I heard two of his lectures upon the relations between Church and State in France, from Clovis to St. Louis. Nine students were present and took notes all the time. M. Roy had before him on the table the principal texts and German works treating of the relations between Pepin the Short and the papacy. He turned ceaselessly from one to another, consulting his extracts, reading important passages from chronicles and from lives and letters of the popes, and discussed all this evidence with great clearness and extreme care. He described, in a very instructive manner the *Vita Stephani* and the other documents of the *Liber Pontificalis*, the *Codex Carolinus*, etc. His digression upon the title of patrician conferred upon Pepin and his descendants was also very well made. The lecture was clear and strong.

M. Giry gave a lecture upon the origin and development of municipal institutions in the provinces of Central France in the Middle Ages, and another upon diplomatic sources of French history in the seventh and eighth centuries. I found lively pleasure in attending several of his lectures. In the one upon municipal institutions the professor, in the first place, designated one pupil to study the Stamp Charters, with recourse to the texts themselves and with Augustin Thierry as a guide, while to another he assigned the study of the customary law of *Lorris*; then he went on to the charters of Orléans during the twelfth century. He had six pupils.

M. Giry read numerous extracts from charters in a great folio of *Ordonnances royales* which he had open before him, or mentioned special treatises which he had taken care to bring to the lecture and which he circulated amongst the pupils, remarking upon the value and the conclusions reached in the monographs. The subject of the lecture was captivating and the great ability of M. Giry needs no comment. The grave and resonant voice of the professor, as he spoke with nervous conviction, added much to the charm of his teaching.

His lecture upon the diplomatic sources of French history

was also very interesting. M. Giry distributed to his six pupils fac-similes of a diploma of Philip the Fair, given at Courtrai in 1297, by which he raised the Count of Anjou to the dignity of peer of France. The document was first deciphered, then thoroughly commented upon. The professor added some instructive digressions upon the ecclesiastical and lay peers of France, upon the genesis of the royal diploma, upon notaries and signatures, upon the use of French in the royal documents beginning with St. Louis, etc. Then he went on to a letter patent of the same king, given at the town of Ypres in 1296, and to several other documents of the same reign which were read by the students and carefully discussed in common. The professor conducted these exercises in diplomatic criticism with remarkable interest and accuracy.

In another lecture M. Giry first related the origin of tabellions and manorial, royal, imperial and papal notaries, and he entered into exact details upon the formulas of private deeds, especially deeds of donation to convents and churches as well as acts of amortization which appeared in the thirteenth century. Next he called the attention of his pupils to two instruments in the archives of *Loir-et-Cher*, discovered by him and believed to be false. He dictated them in full, urging his pupils to study them with care during their holidays and comment upon them in writing, in the attempt to discover in what interest they were forged and at what period. Upon their return in October the conclusions at which each one had arrived were examined in common, and from this collective work sprang a treatise eventually to be inserted in the "Library" of the school. I was happy to be present at this interesting *séance* because it enabled me to see the actual working of the school in urging the students to individual exertion and associating with them their master as guide and fellow-labourer.

The two lectures by M. Hanotaux had for subjects history of the reign of Louis XIII and *Mémoires* of Cardinal Richelieu. The professor had reached in the Memoirs the assassination of Henry IV by Ravaillac. In this connection he gave to his

three pupils the bibliography of the question, with a great many very exact and very curious directions. Then he gave a brief history of the theory of regicide, from Thomas Aquinas to the Jesuits, passing by the sectarian Protestants of the sixteenth century. He next considered the part played by the secretary *ayant la main*, that is to say, skilled in counterfeiting his master's handwriting, so as to save him the tediousness of writing what, according to etiquette, must be in autograph. He here inserted some general observations upon the transformations in French script in the seventeenth century. The lecture was carried on in a conversational tone and the students frequently exchanged observations with the professor.

I attended two of M. Hanotaux's lectures upon the sources of history of Louis XIII. There were three pupils present and the subject was Bassompierre. M. Hanotaux began by discussing the value of the manuscripts of Paris, of Meaux and of the British Museum. He also passed in review the printed editions, and in this connection laid down the rules for publication of texts of the Middle Ages and early modern times as regards orthography, punctuation, division into paragraphs, the use of capitals, etc. Each rule was accompanied by illustrations taken from the most carefully executed editions, like the *Saint-Simon* of M. de Boislisle. He made fine and original observations. M. Hanotaux next went into a detailed criticism of the latest edition of Bassompierre's *Mémoires*, published by M. de Chanterac in 1870–1877. After this introduction he carefully discussed the historical value of these memoirs and their sequel, printed for the first time in the year X. He constantly referred to printed works, to other contemporary memoirs and to unedited documents from collections. He stopped particularly at the episode of the siege of Rochelle and rapidly described the other sources of information. The pupils were deeply interested and interrupted from time to time. After the lecture a Switzer, who had been reared in England, asked advice of the professor concerning a work he had in hand bearing upon the relations between

Switzerland and France in the fifteenth century. M. Hanotaux furnished him all sorts of references with the best possible grace. Though so accomplished a professor he appeared quite young. Of small build, thin and nervous, shaking his little head, while his piercing eyes gleamed from behind his glasses, he spoke with untiring volubility. One would recognize at first sight a genius and a stubborn worker. His picturesque and telling delivery and his amiability toward his pupils reinforced his solid and scholarly teaching. He has magnificent spirit and his teaching is undoubtedly among the best and most stirring in *L'École Pratique.*

M. Longnon is also to be reckoned among the youngest and most remarkable professors in the school. His subject is the historical geography of France and French names of places, their origin, meaning and transformations. I heard him explain in detail to his nine pupils the ecclesiastical geography of a part of France in the Middle Ages. He passed in review the bishoprics, arch-deaconries, arch-presbyteries and deaneries, tracing them with his finger upon a large colored map spread out before him and referring continually to the little cards which held his notes.[1] M. Longnon enlivened this somewhat dry enumeration by interesting explanations and discussions. After the lecture he told me that he had for several years been preparing for Hachette a large historical atlas of France which would relieve him from giving this course of lectures where he had to dictate long lists of names. In fact, the students took a great many notes; they appreciated that they were before the creator of a new science.

The lecture on the origin of names of places interested me supremely. Five students attended it. One of them gave his personal researches upon the names of the Canton d'Anglure (Marne), his native country. He had made a very serious

[1] The use of cards, about twice the size of a visiting card, upon which to write their notes for extemporaneous lectures, is quite common among professors at Paris.

study of their etymology and their earliest mention in chronicles and charters. M. Longnon frequently interrupted in a spirited style to make a correction or to appeal to principles that he had laid down in his first lectures, which formed a complete system. He occasionally rose to take down from the shelves a volume of Littré or Du Cange to verify some etymological hypothesis. It was seminary work in the highest sense, and M. Longnon directed it with astonishing sagacity, condescending from time to time to a little pleasantry and guiding his pupil with great friendliness. His fine and expressive figure recalled the types of the seventeenth century, his forehead, nose, moustache and tapering beard being quite in harmony with them. His eyes, sometimes dull and sometimes flashing, completed the striking picture. M. Longnon expressed to me his satisfaction with his pupil's researches in the Canton d'Anglure, but he told me that this was the only one this year who had undertaken any personal work. He had himself been obliged to make almost all the contributions to the course. He hoped, he told me, that when he had published his theoretical works actually in preparation, he would be able to dispense with giving his pupils a long *exposé* of the principles of historical geography and to exact from them without respite the practical exercises which would call into play further the spirit of *L'École Pratique.* "That is all they need!"

Among the courses in philology which are attached to history, I attended the lectures of MM. Rayet and Chatelain. M. Olivier Rayet, assistant director of Hellenic philology, besides his lectures upon the Akropolis at Athens and Greek epigraphy, expounded Book V of the description of Greece by Pausanias. His class numbered eight. One of them translated Chapter XXIV, and gave historical and archæological explanations which he had prepared with great care, using notes. M. Rayet touched up the description as occasion required. At one time he traced on the blackboard an inscription given by Pausanias, but writing it as it has recently been

found. This was naturally the starting point for observations, conjectures and valuable suggestions. Again, when Pausanias referred to Homer, M. Rayet took down the Iliad and read and commented upon the passage alluded to. When a certain sculptor was cited by Pausanias, the professor wrote out his genealogy upon the blackboard and traced the signatures of the artist as found upon two of his works. In connection with a point of topography he displayed the charts of some officers in the English marine, and of MM. Pottier and S. Reinach relating to Myrina and vicinity, adding some interesting observations upon the Greek colonization of Asia Minor, upon the great pan-hellenic games, and upon the manufacture of arms in prehistoric Greece. This course was as scholarly as it was sympathetic, combining to perfection the personal work of the pupil with the watchful and kindly help of the master.

M. Chatelain's lectures upon the elements of Latin paleography also left a very agreeable impression. The professor had before his six pupils the great work of M. Léopold Delisle upon the manuscripts of the National Library at Paris.[1] He ran over the plates to point out to the class the signs by which the time and source of manuscripts of the Middle Ages are discovered. He called attention to the quality of the parchment, the color of the ink, the formation of letters, the abbreviations and changes in writing down to the sixteenth century. Another lesson he devoted to miniatures. To support his theories and precepts he continually displayed magnificent chromolithograph plates from Silvestre's Universal Paleography,[2] and from M. Ed. Fleury's collections in connection with the manuscripts of Laon and Soissons.[3] M. Chatelain thus traced, documents in hand, a general sketch of the history

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[1] *Le Cabinet des manuscrits de la Bibliothèque nationale*, a study of the origin of this depository, including the elements of a history of calligraphy, of the art of miniatures, of book-binding and book-trade in Paris before the invention of printing.

[2] London, 1850, 2 vols.

[3] *Manuscrits à miniatures de la bibliothèque de Laon*, 1863—*de Soissons*, 1865.

of miniatures, beginning from the Merovingian and Byzantine manuscripts. The professor timidly and modestly kept himself in the background, but the penetrating influence of his essentially practical and natural teaching was only the better felt.

Now that I have attempted to give a detailed account of the most excellent impression which the historical teaching of *L'École Pratique des hautes études* has left on my mind, I cannot conclude without recording my recognition and admiration of the man who was its creator[1] at a time when the *Facultés des lettres* were still stuck fast in the ancient track. "We are led to believe," an official document of one of the ministers of public instruction well says,[2] "that M. Duruy meditated a general reform in advanced teaching; but he judged that the proper moment had not yet come; he foresaw a resistance too strong to be rashly encountered. Less sure of others than of himself, he sought a beginning and found *L'École pratique des hautes études*. . . . He counted upon a penetrating force which has, in truth, manifested itself and which has persisted although he is no longer here to direct it."

V.—The Faculty of Arts, Master's Degree and History Fellowships.

It is vain to look to-day in the *Faculté des lettres* at Paris for courses in history, such as M. Duruy in 1868 satirized as purely oratorical in the official documents which I cited above. Beside the strolling auditors, who cannot be excluded since the lectures are public, each professor has veritable students who take notes; and it is for them, not for the floating audience, that he speaks; they are the ones he gathers at his feet. Thus, in his lectures upon the formation of the Prussian state

[1] Professors and pupils paid a touching tribute of gratitude to M. Duruy in dedicating to him their volume of *Miscellanies*, published in 1878 in honor of their 10th anniversary.

[2] *Statistique de l'enseignement supérieur*, 1878, p. 717, note.

which drew often 300 auditors and sixty to seventy of them ladies, M. Ernest Lavisse rigorously reserved the first rows of seats for *students*. Moreover, there are now a certain number of courses not public, to which only those who have been matriculated can be admitted upon presentation of a card, given them at the time of enrollment. The first time I presented myself at one of these lectures I was pitilessly repulsed by an incorruptible usher who had been trained in a masterly manner. Although very courteous, he was immovable and referred me to the dean, M. Himly, who kindly hastened to give me a card of admittance. These courses, which the notices did not then distinguish from the public courses, are this year marked C. F., *Cours fermé*. They are an excellent innovation and have contributed much to improve history at the Faculty of Arts.

But, as M. Duruy comprehended fifteen years ago, the first need was to substitute true students for the ever-shifting audience. Undoubtedly the great minister would have given all his attention to this point if he could have remained longer in office; but he left the ministry in 1869, a few months after having broken the ground for his great reforms, and the tragic events of 1870–1871 soon postponed the whole question. After sad loss of time, the Republic took up the interrupted task and one of its best ministers of public instruction, M. Waddington, who was perfectly familiar with the question from his connection with *L'École Pratique*, created a regular army of working students by instituting scholarships.[1] The situation of the Faculties might well be despaired of when they were obliged to resort to so artificial and humiliating a measure, while *L'École Pratique* had prospered for ten years with its

[1] These scholarships are awarded annually by examination. The candidates take the examinations in Paris or in the academic centres. Their corrected papers are sent to the minister of public instruction and submitted at Paris to a special commission, together with notes of the rank taken by each candidate in his oral examinations.

pupils unrewarded; but the minister had judged wisely,[1] and from that moment the Faculty of Arts had *students* all over France—a considerable gain.

These scholarship-holders, who form the nucleus of every course, prepare for examinations for their degrees. The masters' purses are 1,200 francs and were instituted, as I have said, by M. Waddington. The fellowship purses are 1,500 francs, instituted by M. Jules Ferry during his first term as minister.

Another useful reform has been the appointment of lecturers in connection with the Faculties. Their rôle corresponds, to a certain extent, with that of the tutor (*privat-docent*) in German universities; they supplement the instruction of the titular professors, giving courses if needed and coming to the aid of students between lectures. They are generally fellows or even doctors. At Paris they have a salary of 6,000 francs and are nominated by the minister and the Faculty. Outside of Paris the minister alone nominates, the salary varying from 3,600 to 4,000 francs; he may grant 4,500 or 5,000 francs to one having a doctor's degree. The lecturers are appointed for one year only but their term may be extended. At Paris the Faculty make the necessary recommendations to the minister annually.

Theoretically the position of lecturer is a sort of probation, after which a competent young teacher can be appointed to a professorship in some Faculty of secondary importance. In their last reports, M. Berthelot, for the Faculty of Sciences, and M. Bréal, for that of Arts, urgently remind the minister of the spirit of the institution. It happens that at Paris the lecturers are taken in general from among the young scholars, who wish to remain in the capital, and are willing to wait

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[1] I note, in passing, M. Monod's pamphlet of 1876, entitled "*De la possibilité d'une réforme de l'enseignement supérieure,* (Paris, Leroux). The book especially commended the institution of scholarships. The author at the same time recommended to the ministry the suppression of the fellowship examinations. It is thus evident that M. Monod took part in the two reforms soon after accomplished.

patiently until a chair there becomes vacant. This is a bad state of affairs, since it tends to block the supply of good professors for provincial Faculties. It is, however, only a trifling fault of system, easy to remedy; and the institution of lecturers, by singularly favoring the recruitment of professorial corps and enlarging the range of specialties once too narrow, will contribute much to the elevation of the Faculties.

But I am writing about history. Since 1880 there has been a special degree in history,[1] besides the fellowship in history, so that the Faculties actually count almost all their students as specialists in history. They are particularly numerous at Paris. This marks, in my opinion, the restoration of the study of history in France.

The history degree requires a written and an oral examination, including both general and special tests. The former consists chiefly of an essay in French upon some subject of ethics, criticism or French literature; of a Latin essay upon some question of Latin or Greek literature, and of exposition of one Latin, one Greek and one French author. The special tests consist of an essay on ancient history (Greek or Roman), one upon mediæval or modern history, one upon a question of geography, and, finally, oral questions upon ancient, mediæval and modern history and geography, according to a list arranged by the minister.

In an explanatory circular of 5th August, 1881, M. Jules Ferry said: "The institution of the degree in history and geography has for its aim to provide for our colleges, and even in some cases for our lyceums, professors in history and geography, who have received a broad literary culture, as well as general instruction in history and geography. Between the examination for the master's degree in history and geography, and for the fellowship in the same branches, there is not only

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[1] The decree of M. Ferry is dated 25th December, 1880, but it stipulates that the examinations cannot be taken until the beginning of the July session in 1882.

a difference in severity, but a difference in kind. We demand of the candidate for the fellowship proof, not only of general information but of fitness for personal work, and of scholarly investigation."

The fellowship examination is composed of crucial written tests and an oral examination. Its aim is to ascertain at one stroke the general knowledge, professional aptitude and scientific aptitude of the candidate. The tests of general information are four theses in ancient, mediæval and modern history, and in geography. Each must be written in six hours, upon a subject not beforehand known. M. Lavisse, in an address, delivered in December, 1880, from which I have borrowed much information, has set forth all the vague terrors of these examinations.[1]

The examinations, which are intended to test the professional aptitude, are: correction of papers, the history lesson and the geography lesson. The former consists in drawing by lot a paper from the receipts of the general examination, reading it in retirement in an hour's time, and making the corrections before the jury in a half-hour. Says M. Lavisse: "It is an artificial test, which lengthens without profit the duration of a fatiguing examination. Its suppression has been repeatedly demanded; some day it will be granted. Very serious, however, is the trial in the history and geography lesson. The subject being given out twenty-four hours in advance, and always chosen from the records of the lyceums, the test is actually from the very life of a professor. Here, unquestionably, professorial aptitude can be clearly revealed, for here appear the ruling qualities: method, simplicity, precision and clearness."

The tests of scholarship are theses and exposition of authors. In 1882 the authors given were: Book VII of Thucydides, Book V of Pausanias; the twelfth oration of Cicero against

[1] Article by M. Lavisse, in *Revue internationale de l'Enseignement*, for 13th February, 1881.

Rullus, and the first forty-one chapters of Book II of Livy, the Periplus of the Euxine by Arrian, and Book XVIII of Montesquieu's *Esprit des lois.* These theses bear upon the Roman agrarian laws from the time of the Gracchi inclusive to the end the Republic, upon the relations between the Popes and the Carlovingians up to the eighth century and upon the condition of France in 1789.

The subjects prescribed for theses are divided into a certain number of lectures, and each candidate receives by lot his appointment to prepare a lecture in twenty-four hours. The same drawing appoints one of the competitors to hear the lecture and afterward to argue the opposite view.

I delay describing M. Lavisse's lecture in order to give a detailed criticism of all these examinations. In spite of certain faults, the system is, as a whole, formidable and truly scientific.

The regular course in history, at the Faculty, is of four years' duration. It is divided into two equal parts by the examinations for the degree and for the fellowship.

Left to their own resources, the candidates would be scarcely capable of preparing all the subjects for these two examinations. Accordingly appeal is made to the professors at the College of France, to professors and lecturers of the Faculty as well as to directors and professors of *L'École Pratique,* some of whom lecture also at *L'École des Chartes* and *L'École Normale.* There is thus formed a complete programme of history and geography courses, which may be said to rank with those of the great German universities. A special circular, linking fraternally the professors of these various institutions, triumphantly remarks this great progress of the last few years, much credit of which M. Lavisse can claim.[1]

Most of these courses are not public. The closed courses are a radical innovation for France where all higher instruction was formerly public. They are given in newly built

[1] The *Revue internationale de l'Enseignement* for 15th December, 1882, publishes this circular for the current year, pp. 586–588.

halls, near the old Sorbonne and named *nouvelles salles* or *baraquements Gerson*. They are temporary structures, lightly built, well ventilated and well lighted, contrasting favorably with the ancient lecture-rooms of the Faculty, and recalling by their name and their convenient style the *Barakken-Auditorium* of the University of Berlin. History has here, like literature and philosophy, its own territory. It possesses a vast lecture-hall, a laboratory for students and a study for professors. The lecture-hall, standing behind the church of the Sorbonne, is constructed chiefly of wood. Enormous windows, on two sides, let in floods of light. One would almost fancy himself in a photographer's studio, were it not for the flat tables, painted black, and the numerous maps adorning the white-washed walls. A little platform, bearing a table of white wood and a cane-bottomed armchair, is placed for the lecturer. This airy, cheerful hall breathes a freshness and cleanliness seldom found in university quarters.

But it was the work-room which especially attracted my attention. When I visited it a large number of students were there reading and making extracts. Upon the shelves of the little reference-library, I remarked the German physical and historical atlases of Stieler, Kiepert, Sprüner, etc., together with several collections and works of weight in French and German. Three written notices were fastened upon the wall. The first contained a list of new books, an excellent measure long in vogue abroad. The second read: "Notice.—The students are informed that a register is put at their disposal to receive the names of the books they wish the reference-library to procure." Here, again, they have imitated a useful custom of Germany. The third notice was the library regulations:

"No book can be taken out of the room.

"Students are requested to return books to their places after using them.

"Silence must be kept in the study-hall.

"When conversatiom is necessary students may retire to the lecture-rooms that are unoccupied.

"M. Uri (librarian) has control of the study-hall.

"The directors of the lectures in literature, grammar and history[1] reserve the privilege of withdrawing the use of the study-hall from students who transgress the rules."

It is thus evident that history can boast at Paris its own little establishment, modestly set up, but organized in a most intelligent fashion. I would almost have believed myself in the quarters of an historical seminary in Leipzig.[2]

The courses in preparation for the degree and the fellowship in history constitute the most recent and consequently the most interesting part of historical teaching at Paris. I studied them carefully and with extreme satisfaction.

I was unable to attend M. Lavisse's public course upon the formation of the Prussian State, the course having been finished before my arrival in Paris in June, 1882. I regretted it extremely; but I can see what the teaching of this eminent professor is from his lectures to the candidates for the degree and the fellowships. M. Lavisse, graduated from *L'École Normale* in 1865, at first taught in several *lycées* and was the private secretary and fellow-worker of M. Duruy. In 1872 he asked and obtained leave of absence which he spent in visiting several German universities. Upon his return he was appointed to a part of the history teaching at the Normal School. M. Monod, indeed, took his place, when he himself, in 1880, supplied the place of M. Fustel de Coulanges at the Faculty of Arts. His scholarship, energy, the clearness of his views, his professional talent, his devotion to his pupils, all make him the soul of the dawning reform which will, I doubt not, make itself felt in the study of history throughout France.

I heard M. Lavisse give several very striking lectures upon the France and Germany of the Middle Ages. In a few

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[1] This regulation is the same for each of the lecture-halls of the three sections and for their respective study-halls.

[2] Compare what I have said in my article in *Revue de l'instruction publique en Belgique*, cited above.

artistic, precise and sharply drawn lines he characterized Philip Augustus and St. Louis, continually citing passages from contemporary writers and documents. At another time he rapidly sketched the assembly-roll of great men in France down to the thirteenth century, and warmly recommended this to his pupils as a subject for study, referring to the example of Germany, which has long since persistently cleared away the briars from its mediæval epoch. Finally, I attended two lectures in which M. Lavisse set forth the struggles of Germany against the Slaves and Hungarians in the early Middle Ages. He constantly referred, with precision, to passages of ancient chroniclers and to the best works of German historians. The professor himself declared that this course was elementary, rapid, and given in general preparation for the fellowship examination. At every step in his brilliant discourse M. Lavisse threw out original observations with moderation, accuracy and clearness, with a striking soundness which was often and unexpectedly enhanced by a piquant word, an ironical reflection, a picturesque detail, or a sharp running fire, delivered with a resolute voice, vibrating with conviction and contagious animation. The pupils, numbering from twenty to fifty, according to the course, listened with almost passionate attention and eagerly devoured the master's words. The lecture was full of ideas, of large, deep and extremely suggestive views, the professor pointing out obscurities at each step and inviting his hearers to clear them up some day by their own personal work. This theoretical course of M. Lavisse actually seemed to me the best in the whole domain of history at Paris.

In 1881, M. Lavisse carried on a practical course in which, for an hour and a half per week, he studied, with his numerous pupils, documents relating to the institutions of France under Charles VII.

In 1882, the subjects from the Middle Ages for the fellowship examination being treated by M. Roy, M. Lavisse had no practical course, and devoted himself to theory, in which he is beyond all rivalry. It is much to be regretted that a man of

his worth should have to make his teaching conform to the exigencies of preparation for a professional examination.

M. Alfred Rambaud treated the history of the nineteenth century, having about fifteen pupils. I heard him explain in two lectures the rôles of Prussia and Austria since 1848, and sketch the prolegomena of German unity and Italian unity, which have been realized in our time, thanks to the genius of Bismarck and Cavour. M. Rambaud, as may be imagined, was not enthusiastic over contemporary Germany. His discourse was full of accurately stated facts, piquant anecdotes and references to all sorts of documents, and was characterized by admirable clearness and elevation of thought. He described with rare felicity princes, statesmen and circumstances, and he excelled in interesting his audience by his originality, freedom and nice distinctions. It was an excellent course, very acute and charming, one of the best I heard in Paris.

M. George Perrot, after having expounded Arrian's Periplus of the Euxine, devoted his last lectures to questions of archæology. He gave the earliest origin of money amongst the Egyptians, Babylonians, Chinese, Jews, Greeks and Romans, as well as the changes it has undergone among uncivilized races down to our own time. He referred to the works of MM. Lenormant, Waddington, Brandis, Mommsen, etc., and quoted his own works with great modesty. The lectures were delightful, full of curious notions and piquant details, and delivered with extreme simplicity, although in very elegant form. He had about fifteen auditors.

The same number of students were present at M. Arthur Giry's lectures upon mediæval paleography. The professor first gave some theoretical principles for the documents of the period, their different parts and their principal marks. Then he distributed some splendid heliograph fac-similes[1] which the students read under his direction while he commented upon

[1] A publication of the ministry of the interior, entitled, *Musée des archives nationales, Musée des archives départementales.*

them step by step. M. Giry's remarks upon the invocation, the superscription, preface, statement, purport, conclusion, signs of validity, date and signature were embellished with examples, observations and characteristic touches. It was, in very truth, the history of a diploma of the Middle Ages, sought out to the smallest detail with perfect clearness and order. The two lectures, by M. Giry, which I had the pleasure of attending, were certainly models. Such brilliant teaching of paleography and diplomatics ought to have an excellent influence in the formation of future professors, inspiring them with a love for such study, which is too rare in higher grades of teaching. How many professors in *lycées* and colleges in small towns would be made useful by the possession of solid notions of paleography, which would enable them to work accurately their local archives?

M. Bouché-Leclercq expounded Cicero's oration against Rullus, the subject appointed for the fellowship examination. Zumpt's edition was used. The four students present had conscientiously prepared the text and put to the professor a multitude of questions on points that had embarrassed them. All the explanations asked were in the line of history and Roman antiquity. M. Bouché-Leclercq answered the questions with great affability, placed his pupils upon an equality with himself and freely gave them the benefit of his learning. At one time he was called upon to describe Cicero's restless figure, which he did in charming style, referring to his best-known letters. Again, a student asked an explanation which M. Bouché-Leclercq could not give *ex abrupto*, whereupon he brought the necessary volumes of Lange and Pauly and carefully showed his hearers how to make investigations in such works. He took the occasion to prove that, except in case of a prodigious memory, learning does not consist so much in knowing all points as in being able to find quickly the solutions already provided by science. It was a striking lecture, scholarly and valuable for working pupils.

M. Pigeonneau described the state of France in 1789. I

heard him speak upon the nobility according to the accounts given by intendants and the works of De Tocqueville and Taine. His lecture was spirited, clear, interesting and full of good humor. Amongst his many hearers were two priests.

M. Berthold Zeller treated the history of the regency of Maria de' Medici. In the lecture I attended he stated the condition of the German protestants and of the French Huguenots at the time of the Thirty Years War. His discourse was full and conscientious, although a little dull. He cited no sources nor any modern history. Nine students were present and took notes from time to time.

MM. Pigeonneau and Zeller also directed the lectures given by the candidates in preparation for the pedagogic contest of the fellowship examination. Eleven students were present at M. Pigeonneau's practical course. One of them was at the desk and gave a lecture upon the privileges and exemptions in France before 1789. It was chiefly derived from De Tocqueville and Taine. The student spoke without notes and had prepared his subject well. When the discourse was over, M. Pigeonneau, who had listened sitting upon the corner of a bench at the foot of the desk, invited the students to make comments. The critics immediately fell upon the speaker, who lost his temper and declared with a vexed air that he had spent seven hours in preparing his lecture. They debated long and vigorously, M. Pigeonneau keeping himself in the background to give the pupils full play. At the close he appointed the next candidate to speak upon municipal organization in 1789 and suggested, especially, De Tocqueville and the book of M. Babeau.

I attended two of the lectures given by M. Zeller's pupils. The first dealt with the Roman provinces in the Augustan age. The pupil stood before a great Kiepert map and spoke without notes. His twelve companions opposed him with spirit and M. Zeller took up the subject in his turn, completing it and making certain slight corrections. The second lecture was upon the state of Europe at the death of St. Louis.

The speaker reviewed all the countries of the East and the West, giving some rapid suggestions upon each with a great many dates, the whole perhaps taken from M. Duruy's *Histoire du moyen âge;* then he added some quite superficial remarks upon modern language and literature, science and art. None of his class-mates had any argument against him. M. Zeller, who had at hand his notes written on great sheets of paper, read them to show the student that he had not said all he might have said and had omitted a great number of dates. At the close he appointed the reign of the Emperor Trajan as the subject next in order.

M. Auguste Himly, dean of the Faculty of Arts, has charge of the lectures on geography. He conducted them faultlessly, as only twice attending convinced me. A student gave the lesson from a large coast map of France, extending from the North Sea to the Pyrenees. He began by giving some coast details of the county of Flanders, and of the ancient salt-marshes of Artois, and continued the description to the Bay of Biscay, multiplying hydrographic, commercial, historical and scenic details, and treating the vast subject calmly and clearly. No one of the class offered at first any objections. M. Himly, however, after having called it a respectable third class lesson, made a series of very just, severe but kindly criticisms. He referred to successive maps of the coast of France, contained in M. Desjardin's book upon Gaul. Then he took up the question of seaports, which he treated in a masterly manner. In this connection he accused Paris of exerting a fatal influence upon French ports, in developing them only in proportion to the services they can render to the capital. Bordeaux is thus sacrificed, and almost all the important canals have been built with a view to Parisian interests. He pointed out to the student that he had said nothing of the continual spring of Roscoff, in Brittany, where the fig-tree grows, nor of the Isles of Normandy, and himself supplied the defect by very interesting information. In short he delivered his advice and his criticisms with charming deli-

cacy, pleasantry and grace. At the close he made an urgent appeal to the class to offer some observations on the lesson, and four or five finally hazarded some remarks. They made some criticisms of detail, which were briefly discussed, but their reserve can well be understood from their knowledge that no one could more profitably point out errors than their wise and sympathetic master.

The second student's lecture that I heard dealt with the basin of the Garonne. The lecture was delivered with great spirit by a Gascon, well up in the history of his native valley. M. Himly praised him, and gave the signal to the critics, who this time did not wait to be urged, but debated earnestly with the Gascon the merits of the Garonne, of Bordeaux, and its vineyards and many of the local glories boasted by the young student. M. Himly in turn took up the question of vines and treated it with sparkling humor. He then spoke of the Basques, briefly but in a clear and helpful style; finally he stated the characteristics of the region drained by the Garonne and its tributaries, frequently calling history to the aid of geography. He scattered little good-natured hints throughout his criticisms: "When you describe a basin," he said, "it is not necessary to keep to the river bank, with your feet always in the water. You must go from right to left to study the country which the watercourse drains." And in this familiar and graphic style, he gave pedagogic hints of great value, with extreme tact, authority and good feeling. I am sure M. Himly must be idolized by his pupils. His class numbered twenty-five at each lecture.

I was struck with the unusually earnest and noble countenances of the majority of the candidates for the degree and the fellowship; they constitute in fact an intellectual élite, and several of them have already attained higher professorships. These frank, sensitive and intelligent faces confirmed the excellent impression which all this special teaching had produced in my mind. The pupils seemed to me worthy of their masters.

Beside the lectures given in the *baraquements Gerson* the history students can take at *L'École pratique* the courses of MM. Monod, Thévenin, Rayet and Roy, of which I spoke above; and the special notice to the candidates for the degree and fellowship mentions also the public lectures on history and geography of the *Faculté des lettres*.

At the latter place I found the dean, M. Himly, who this year was giving American geography. The vast lecture-room of the Faculty was well filled. A few ladies were present. M. Himly spoke of the basin of the St. Lawrence, holding in one hand a great sheet of paper blackened with notes and figures upon which he cast, from time to time, a hasty glance, while in his other hand he brandished a paper-cutter with which to point out upon the beautiful outline-map by Sydow every place of which he spoke. His statements were sound, the details interesting, the points well made and observations spirited. Enthusiastic applause greeted the eminent professor when he ceased speaking,[1] although he had taken twenty minutes more than the regular time.

M. Bouché-Leclercq discussed the religious institutions of the Romans. Seated behind a semi-circular desk at the bottom of a sort of pit—the place reserved for the professor in the old lecture-hall of the Faculty at the Sorbonne—M. Bouché-Leclercq embodied in his lecture the greater part of his beautiful work, *la Divination chez les Romains*. The audience was quite mixed, six ladies and one priest being in attendance. The lecture was striking, attractive, scholarly, and given with elegant simplicity, relieved from time to time by cutting and delicate irony.

M. Pigeonneau commented at the Sorbonne upon the political economy of Colbert with the same volubility, good

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[1] I cannot refrain from citing here the principal work of M. Himly, which I procured at Paris and which has already done me great service: *Histoire de la formation territoriale des États de l'Europe centrale*, 2 vols., Hachette.

nature and ease with which he conducted his lectures in Gerson Hall. His audience was limited to one.

M. Alfred Rambaud gave an excellent lecture upon France and Russia in the eighteenth century. He had chosen a very singular hour for a public lecture, from half-past four till half-past five in the evening, the time when the Sorbonne is deserted. Consequently, in spite of the supreme worth of his utterances, he spoke to almost empty benches. I heard three of these lectures. The first time I counted eleven hearers, two of them ladies; the second time the audience was composed of eighteen men and five ladies; the third time there were only eleven men and nine ladies. But it was a case where the masses were in the wrong, for M. Rambaud's lectures were wonderful.

The professor showed how the Russians, who had up to that time imitated the Germans, perceived during Elizabeth's reign that the latter nation was but an imitation of France and immediately a violent infatuation for France overspread Russia. M. Rambaud drew a very graphic and amusing sketch. In the following lecture he passed on to Catherine II and characterized the principal sources of history of the revolution of 1762, which placed this remarkable woman on the throne of the Czars. After this examination of sources he related the incidents of the conspiracy, discussing the various contemporary accounts, from which he read interesting extracts. A rare exception amongst French professors, M. Rambaud read rather indifferently, but he spoke with animation and faultless simplicity and depicted all the intrigues of palace and barracks with wonderful vigor.

In a third lecture I heard M. Rambaud describe some truly remarkable features of Catherine's administration; as when in 1766 she assembled at Moscow a sort of parliament, composed of more than 600 delegates from her immense states and constituting an ethnographical exhibition, as M. Rambaud well said, rather than a deliberative assembly. He related in detail the vicissitudes of this unprecedented council, which

finally ended in pitiable failure. Then he gave the history of the famous contests instituted by Catherine II to promote the discussion of the abolition of serfdom. All Europe sent a flood of manuscripts and one from Aix-la-Chapelle took the prize. It is unnecessary to add that it was never published. In this connection M. Rambaud traced the origin of serfdom in Russia in the seventeenth century and described the heart-rending condition of Russian slaves a century after their subjection. But I cannot here analyze the lecture; it was admirable in its clearness, simplicity and originality.

These public courses at the *Faculté* have one marked point of difference from those at the *baraquements Gerson.* The door of the hall is constantly swinging at the convenience of the people who go up and down the little staircase, with more or less noise and with the same freedom as at the *Collège de France.* One often meets curious specimens among the audience here, too. I noticed specially an old lady who invariably arrived a quarter hour late and began imperturbably to take notes even before she reached her seat. Nor was there lack of old gentlemen, full of dignity and sleep. But at each lecture the first two rows of seats were filled with students who earnestly noted the professor's words and formed an appreciative audience. It was unquestionably a great improvement on the past.

Having reached the end of my only too inadequate observation of historical courses at Paris, I cannot refrain from paying my debt of thanks to MM. Lavisse, Monod, Giry and Rambaud for their generous reception and the cordial aid and hospitality they unceasingly offered me throughout my stay in Paris. Furthermore, the many professors with whom I had the honor to be thrown all showed the utmost good-will.

VI.—Conclusion.

To deliver a comprehensive judgment of the higher teaching of history at Paris, after only one month's study of the situation is an embarrassing task. However, in summing up my impressions I should say they have passed through three successive phases.

In the first place I was astonished at the number and variety of the historical courses offered by the *Collège de France*, the *Sorbonne*, the *École pratique des hautes études*, the *École des Chartes* and the *École normale*, not to mention the Free School of Political Science, which was just closing its academic year and which I was not able to visit.[1]

In 1881–1882 there was at Paris a course in the history of religions, dealing specially with the Chinese religion, and a course upon the migrations of peoples and the prehistoric antiquities of Europe. In ancient history the main points were: private life of the Athenians, Greek sculpture, the Akropolis at Athens, religious institutions of Rome, agrarian laws of Rome under the Republic, Roman history since the Gracchi, epigraphy of Roman Gaul, etc.

For mediæval history there were: critical history of the first Capetians, struggles of the Popes and Carlovingian princes, history of royal power in France and Germany, formation of the Prussian state, comparative history of civil and political institutions of Europe from the tenth to the sixteenth century, critical study of Latin sources of French history, diplomatic sources of French history from the seventh to the sixteenth century, ancient institutions of France, origin and development of municipal institutions in Central France in the Middle Ages, sources of French history in the twelfth century, archæology of the Middle Ages, etc.

In modern history there were courses upon policies of French Kings, from Henry IV to Louis XV; sources of history of

[1] In 1882 this school finished its eleventh year under the excellent direction of M. Em. Boutmy. Its aim is to prepare especially for diplomatic service, for statesmanship, for administration and for finance and the audit-office. History holds a prominent place. In 1881–1882 M. Boutmy taught constitutional history of England, of United States and of France since 1789, and M. Vergniaud that of Germany, Austro-Hungary, Belgium, Switzerland and Italy. M. Pigeonneau taught diplomatic history from 1648–1789, and M. Albert Sorel brought the same subject down to 1881. M. A. Ribot taught the parliamentary and legislative history of France from 1789 to 1852.

Louis XIII; history of England from the sixteenth to the eighteenth century; the first chapters of Richelieu's *Mémoires*; economic policy of French Kings in the seventeenth and eighteenth centuries; political theories of the eighteenth century; relations between France and Russia in the same century; diplomatic history from 1648–1789; condition of France at the time of the great revolution, etc.

For contemporary history there were lectures upon the nineteenth century, as a whole; upon the constitutional history of the European powers and of the United States since 1879; upon the parliamentary and legislative history of France from 1789 to 1852; upon contemporary history, etc.

There were two courses upon paleography of the Middle Ages, one upon Latin paleography, one upon romance languages for the interpretation of historic writings, and a course in bibliography and arrangement of records and libraries.

In geography there were two courses upon the Periplus of the Euxine, of Arrian, one upon the origin, signification and transformations of French names of places, two upon America, etc.

No German university centre offers such a wealth of history and geography courses; but this abundance is almost waste. Each of the separate schools has its own premises, its corps of professors, its library, its numerous subordinates, and its separate fund, a division of force which leads to much waste and to the double outlay which the foreign visitor remarks with surprise and understands only when the history of the successive creation of all these similar institutions is explained.

After this first impression, divided between admiration and surprise, I was pleased to discover that a clearly defined movement toward concentration is beginning among the scattered members of the history body. In 1880 the examinations for the degree and fellowship in history grouped professors and students of all categories under the same banner. As M. Lavisse proudly stated it in his opening lecture in December, 1880: "This is, indeed, a school of history, founded upon the common ground of

the Faculty of Arts, the Normal School, the School of Charters, and the Practical School; a school which shall lack no care and which ought to contribute to the advancement of national instruction and of the science of history in France."[1] And with what enthusiastic good-will have masters and pupils put themselves to the work! A noble spirit animates them all; they breathe confidence and hope in the very air; the new generation is marching steadily towards its coveted ideal. M. Gréard, vice-provost of the *Académie de Paris*, remarked it with delight in his official report in 1881: "Where we provided only the place, they have taken possession and entrenched themselves for the campaign. They have built barracks. The teaching has invaded the library, where it lives peaceably in pigeon-holes, book-shelves and corners. . . . But what characterizes this period of development is perhaps less the multiplication of lectures and examinations than the direction which the advanced instruction of to-day, with its new spirit, is taking. It is the very foundation of our study that is being changed." And with perfect insight, M. Gréard showed that the origin of the practical and scientific tendency could be traced to *L'École pratique des hautes études*: "We may say that in 1868 this thought was first embodied by the institution of the school for advanced study. This school grouped around its eminent masters, galaxies of disciples who have since become masters in their turn. It inaugurated the great movement of research in epigraphy, linguistics and history . . . which has furnished science with so many precious elements."

The specialization of the history degree, the institution of masters' and fellowship prizes, the organization of special examinations, the creation of a little historical institution in the wooden barracks at Gerson Hall,[2] constitute so many steps in the new path. And the impetus once given, the movement

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[1] *Revue internationale de l'Enseignement* for 15th February, 1881.

[2] M. Lavisse, in his opening lecture in October, 1882, said to his pupils: "Be assured that you are at home here, that these barracks are yours, ours."

has gradually increased. "To the fellowship-holders," said M. Gréard, "are added assistant masters, delegates from the *lycées* of Paris, young college professors, crowding to the Academy from great distances every Thursday,[1] and every day when they can leave their classes. Those who cannot make the trip send their work, the subject of which has been assigned them." On the 8th of last December, not less than 125 students might be counted who had enrolled themselves for the degree and fellowship examinations at Paris.[2]

The academies of the country have, in their turn, been drawn into the movement. Thanks to the kindness of M. Marais de Beauchamp, chief-clerk of the minister of public instruction, and to M. Léon Bayet, professor at the Faculty of Arts in Lyons, I gained some general information upon history movements outside of Paris. There are fellowships in history in several Faculties. I cannot enumerate the masters' prizes; but the fellowship prizes, which are less numerous, are as follows. In 1881-1882, while at Paris there were twelve, at Clermont there were five, four at Lyons, two at Bordeaux, one at Nancy and one at Douai. The professors in the provinces continue to give public lectures, but they also give courses closed to the public. They generally give one of the former to two of the latter. They have added lecturers to aid in this new work.

It is interesting to know what was the history instruction in 1882 in the Faculties that offer fellowships. Bordeaux had one professorship of history, one of geography, one of Greek and Latin antiquities, but possessed no lecturers. Lyons had two chairs of history, one of antiquities and one of geography.

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[1] Thursday is the holiday in secondary schools in France.

[2] *Revue internationale de l'Enseignement* for 15th December, 1882, p. 581. These 125 history students are also candidates for professorships in secondary schools. Among them are some pupils from the School of Charters, and even several law students. (See address at the opening of the history and geography courses at the Faculty of Arts in Paris, by M. Lavisse, Thursday, 31st October, 1882, p. 509 of the same Review.)

Douai had one chair of history and a lecturer for geography. Nancy had two chairs of history, one of which included geography and a lecturer for Latin and Greek antiquities. Clermont had one chair of history and geography and one lecturer for history.

As a specimen I will give here the exact history programme of the *Faculté de Lyon* in 1882–1883. Besides the public lectures of M. Bayet upon mediæval history, of M. Belot upon modern history and M. Berlioux upon geography, the degree and fellowship lectures in history include geography of Europe and Northern Africa by M. Berlioux, later modern history by M. Belot, Greek history by M. Bloch, mediæval history by M. Bayet, elements of geography by M. Clédat, practical exercises, lectures in history and geography by the candidates, corrections of pupils' work [1] and lectures upon the subjects of the examination paper. They are certainly far from having the rich abundance of the Paris courses; but the impulse has been given and each college throughout France is in a fair way to become an historical laboratory, where masters and pupils shall devote themselves to correct methods for the sake of the advancement of science and of pedagogy. But such a result must not be dreamed of for ten years yet.

After having permitted my enthusiasm to run away with me, however, I must consider whether there are not some shadows in the picture. "The examination weighs heavily upon study; it is too omnipresent," said one of the men that are identified with

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[1] These works are written upon subjects appointed by the professors and by the use of original documents. Some of the subjects from the Middle Ages given this year by M. Bayet are as follows: Relations of Hincmar with Charles the Bald and his sons; Investigations in Richu, the information he gives upon the development of feudal institutions; Compare the testimonies of Latin and Greek historians in regard to the relations between Alexis and the crusaders; Compare the principal Latin and Greek accounts of the capture of Constantinople in 1204. There were eight students, holders of scholarships and others, enrolled at the Faculty of Lyons for the examination and nine for the master's degree in history.

the new reforms. I was struck with these words, apparently betraying a certain discouragement. Upon reflection, I have concluded that here is a considerable fault of system. The examination for the master's degree is, and ought to be, a test of general knowledge. But is not the fellowship examination burdened by too much stress upon general knowledge? It exacts from the candidates four written papers, upon ancient, mediæval and modern history and upon an unprepared subject, each of which must be treated in six hours. Could anything be less scientific?

Listen to M. Lavisse's[1] complaints to his pupils in 1880:

"I remember when I was candidate for the fellowship examination, and more recently when I saw the students of the third year at work at the Normal School. At the beginning of the year the students go bravely to work. From morning till night there is no respite. They aid one another, but far the greater part of the work must be done alone. The study-hall is littered with books from the dismantled shelves of the library; drawers are filled with note-books; the student is always reading and as constantly writing. His comrades of other courses, especially of the philosophical courses which require less burdensome work, rail at him as a grind. Still he keeps on. History has, thank God, a charm so potent that its wearer cannot faint under fatigue; the hope of soon emerging to a vast horizon sustains the pilgrim, staff in hand, upon the rugged mountain's side. But weariness hinders him, and I have known scarcely one destined historian who has not at some stage yielded for a moment to discouragement. The time quickly comes, when the student, after glancing over the questions that first attract him perceives that he can hope to know scarcely the surface of them. And already he is besieged by a multitude of questions, of less importance, but all of which, as the phrase goes, 'might be asked.'

"'Sir,' is asked of the master, 'do you think such and

[1] *Revue internationale de l'Enseignement*, for 15th February, 1881.

such a question could be asked?' and the master cannot always answer no. The moment comes when the student feels himself swamped; he loses his head. Then he gets up lists of Egyptian kings, Turkish sultans, towns associated in the Hanseatic League, and he goes feverishly from the *epigoni* of Alexander to those of Charlemagne, from the Samnite War to that of the Roses, from the tributaries of the Danube to those of the Mississippi, from Hanno and Pythias to Livingstone and Nightingale and Marco Polo. From books he descends to abstracts and from abstracts to text-books. He began by reading Curtius, Duruy, Grote, Guizot, Mommsen; he ends with the repertoire of an academic student. He takes the curriculum of a *lycée*, marks with a cross the twenty or thirty subjects of which he is master and leaves a hundred of which he does not know a word. He goes to the examination overworked, and what is worse, fallen into detestable habits, which will always mislead him and give him a distaste for honest work."

Admitting that this sad picture is somewhat overdrawn, in principle it is unfortunately true. The professors who see their students overwhelmed by the general part of the examination, kindly simplify their work for them by the explanation of authors and preparation for theses. It was, however, not the students who did the scientific work when I visited the lectures in 1882: it was M. Rayet who explained Pausanias, M. Perrot, Arrian, M. Bouché-Leclercq, the second oration of Cicero against Rullus, and M. Thévenin, the Chapters of Montesquieu. Likewise the theses upon Roman agrarian laws were not in reality prepared by the students, but by M. Bouché-Leclercq, those upon the Popes and the Carlovingians by M. Roy, and those upon the condition of France in 1789 by M. Pigeonneau.

There is another thing. The too great scope of the subjects for theses and the texts to be expounded, makes it necessary for the professors, in order not to over-burden their pupils, to examine too superficially upon the subjects in the programme, whence it follows that both masters and pupils are subjected

to the impossibility of doing truly scientific work. Even in their theoretical courses, the professors, compelled to keep in mind the general instruction of the candidates, reluctantly take up periods of history too extensive to be studied deeply and carefully. The organization of the fellowship course is thus practically a serious hindrance to the advance of historical instruction in the *Facultés.*

If now we consider what it is that gives value to the historical instruction of Germany, we are struck with its great advantage over France in the number of practical courses, where scientific method is taught by the study of a single, much-restricted topic, all the elements of which are passed in review by the aid of the very documents from which they are derived, the pupil coming much oftener to the front than does the professor. These are the only proper laboratories for the science of history. Where in all Paris can they be found save at *L'École des hautes études?* M. Lavisse himself has had to give up, for the time being, practical exercises at the *Faculté.*

But it is not necessary to magnify the evil. The requirements of the history examinations are not unchangeable, and they will certainly be changed. Freed from their nightmare, professors and students will breathe again and work for the sake of science without the preoccupation of the examination. Practical courses will be multiplied, and the revolution begun under our eyes will soon bear all its fruit.

It does not require an inspired prophet to predict for France the rise of a brilliant school of historians, who, true to their national spirit of harmony, will be able to hold the balance steady between foundation and structure, between analytical study of detail and philosophical synthesis.

Notes supplementary to the Johns Hopkins University
Studies in Historical and Political Science, 1890, No. 3.

EARLY PRESBYTERIANISM IN MARYLAND.

By Rev. J. WILLIAM McILVAIN.

The object of this monograph is to give an account of Presbyterianism, as it existed in the early days of Maryland. The period covered by this expression extends from the founding of the colony to the year 1706, the date of the formation of the first presbytery. At this time the Presbyterian church in America entered into a new phase of her existence, one which is more generally known and much more easily studied.

In writing an account of the Presbyterians in Maryland prior to 1706, a great difficulty presents itself at the very outset. This is the entire absence of any church records. All that we know of the existence of any church organization is to be gathered from a few meagre hints in the public documents of the colony, an occasional letter, or a passing notice by some secular historian. So fragmentary is the knowledge gathered from these sources, that the historian longs for the skill of the geologist, who is able to reconstruct for us the living animal from a single bone.

Another complication arises from the fact that it is difficult to distinguish between the Presbyterians and the Independents, both of whom were embraced under the term Puritan. In England, as is well known, they formed two parties. In Maryland also there exists in some instances a clear distinction between them. Not infrequently, however, they must be treated as forming one party.

The germs of Presbyterianism came into the colony at a very early period of its existence; possibly with the arrival of the Ark and the Dove. We learn from the letter of Henry Moore, the Provincial of the Jesuits writing from Rome in 1642 that "in leading the colony to Maryland by far the greater part were heretics."[1] Presbyterianism, it is true, did not yet exist in an

[1] *Records of the English Province, S. J.*, Parts V–VIII, p. 364. See also Lord Baltimore's letter to the Privy Council, 1677, which speaks of a great part of the early colonists being non-conformists. *Archives of Maryland*, Council Proceedings, 1667–1688, p. 267.

organized form in England. Yet in the large towns, especially in London, there were a number of congregations of such decided Presbyterian tendencies, that their members might fairly be called Presbyterians. From London, afterward the stronghold of Presbyterianism, many of the mechanics and servants came. It is certainly very possible, if not probable, that some of these came from the congregations of the divines, who afterwards sat in the Westminster Assembly. To mention some of the early colonists who were known to be Presbyterians, Walter Beane, or Bayne, and his brother Ralph were evidently members of that party. William Stone, appointed governor by Lord Baltimore after the triumph of the Parliamentary party in England is known to have had decided leanings in the same direction.

The proportion of the Presbyterians to the rest of the colonists is something which can not be definitely determined. There are good reasons, however, for believing that their numbers were very considerable, larger indeed than has been generally supposed. Because Lord Baltimore and some of the more prominent of the men in the colony were Roman Catholics, it has often been taken for granted that the majority of the colonists were of the same faith. This is so far from being true, that it will be evident to any one, who will study the early history of Maryland, that almost from the very beginning the overwhelming majority of the colonists were Protestants. This majority soon assumed the political control.[1] Of this majority a very large number must have been Puritans.[2] Take, for example, the assembly which passed the famous Act concerning Religion, the large majority of the members were Protestants. And of the Protestants, a large number were Puritans.[3] This we conclude from what we know of the individual members, from the letter of Lord Baltimore to the Privy Council in 1677, from

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[1] "The Assembly in Maryland (of 1638), composed with few exceptions of heretics." *Letter of More, English Province, S. J.*, p. 365.

[2] Lord Baltimore's letter, quoted above, speaks of "a great part" of early colonists as "such as could not conform in all particulars to the laws of England relative to Religion," such persons must have been either Roman Catholics or Puritans.

[3] Hammond, *Leah and Rachel* (1656), pp. 22–23. Force's *Tracts*, Vol. III. See Bozman, Vol. II., p. 354.

contemporary testimony, and from the language of some of the acts passed by them. The Act itself is plainly a compromise between a Roman Catholic Lord Proprietor and his Protestant subjects.[1] That the idea originated with Lord Baltimore himself, is more than probable. He was a very prudent man, and to have attempted anything else than granting entire freedom of conscience to the people of Maryland would have been an act of the most consummate folly under the circumstances. His policy from the beginning had been complete religious toleration. Such a policy was rendered more imperatively necessary by subsequent events. The Presbyterian church had been declared the Church of England by the Parliament. The Puritans were in entire possession of the state. He himself was not in good repute with the government. The passing of such an act at such a time was a most masterly stroke of policy on his part as tending to remove all suspicion from himself, and making the state of affairs in religious matters in Maryland conform as far as possible to that in Puritan England, and at the same time securing liberty of worship for the members of his own church. A compromise had recently been entered into by the Roman Catholics, Lutherans, and Calvinists of Germany in the famous Treaty of Westphalia, by which they had all secured religious toleration. Might not a similar law in Maryland secure similar results?

And may we not learn something of the religious situation in Maryland from the language of the Act itself? We think so. The main object of the law was to secure liberty of conscience to all Roman Catholics on the one hand, and all orthodox Protestants on the other. One section is particularly significant, the one which punishes the calling of names "in a reproachful manner relating to matter of religion."[1] It would appear from this, that there was danger of this kind of thing in the province. Indeed there was a great deal of bitterness of feeling upon this very subject. A list of the names of religious parties is given, which must not be used reproachfully, and it is curious to notice that they embrace only those which would be applied to Roman Catholics or Puritans.

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[1] This seems clearly to be the view taken by Hammond, a friend of Lord Baltimore. His tract was written against the Puritans in Maryland.

This can scarcely be an accident. Is it not a fair inference, especially when we have other proof upon the same subject, that a very large number of the Protestants of the province at that time consisted of those who might be reproached with the fact, that they were "Puritans, Independants, Prespiterians, Lutherans, Calvenists, Anabaptists, Brownists, Antinomians, Barrowists, Roundheads, Separatists?" Still another section of the Act throws, we think, some light on the situation; that which punishes any person "that shall prophane the Sabbath or Lord's day called Sunday by frequent swearing, drunkenness, or by any uncivill or disorderly recreation, or by working on that day, when absolute necessity doth not require it." This is the language not of the Roman Catholic, nor of the Anglican, but of the Westminster divines. It is possible that Lord Baltimore might have used such language purposely in drawing up the law, in order to propitiate the powers that be. But is it not more likely, that this wording had its origin in the Assembly itself, where there were some freemen, who would not hesitate to add to or alter any law proposed by the Lord Proprietor? At any rate the Act gave to Maryland a Sunday law modeled on a strict Puritan Sabbath.

The strength of the Puritan party in the province will further appear from the fact that after the Commonwealth was firmly established, they proceeded to take possession of the government, and pass laws contrary to the well known wishes of the Lord Proprietor. Among them was a new Act concerning Religion, which undid the generous provisions of the former one, and restricted the liberty of public worship to those who were neither "Papists, Prelatists," nor Antinomians, in other words, to the Puritans. The language used is of interest as showing, that there were divisions in that party, and therefore that Presbyterians as well as Independants were included under its provisions. The fact that the Puritan government lasted for a number of years shows that they must have had the majority of the colonists on their side in their political if not in their religious sympathies.

The presence of so many Puritans in Maryland will scarcely be thought strange, when we remember all the circumstances in the case. Lord Baltimore had always pursued the policy of toleration, and had invited some of the Puritans of New England to

settle in his dominions. A glance at England will also show us that the Established Church was Presbyterian. The middle classes, from whom the colonists would mainly be drawn, were in sympathy with the Puritans. The towns from which came the merchants who traded with Maryland were the centers of Presbyterianism. Some of these who are mentioned as trading with the colony are known to have been connected with prominent Presbyterian families in England.[1] Scotch emigrants had begun to arrive, and these were of course Presbyterians.

Of the large number of Presbyterians in the colony at a somewhat later time we have strong proof in the testimony of Lord Baltimore himself. There was in 1677 some talk in the Privy Council of England of establishing the Church of England in Maryland. This Lord Baltimore resisted earnestly. In a letter addressed to them dated July 19, 1677, he writes, "The greatest part of the inhabitants of that province [three of four at least] do consist of Praesbiterians, Independants, Anabaptists and Quakers, those of the church of England as well as those of the Romish being the fewest, so that it will be a most difficult task to draw such persons to consent unto a law, which will compel them to maintain ministers of a contrary persuasion to themselves."[2] That Lord Baltimore speaks with knowledge and authority can not be doubted, for in his letter he goes into several particulars in regard to the religious state of the province. He speaks of their building churches or meeting houses, and maintaining their ministers by voluntary contributions. This gives us valuable testimony to the presence of a large number of Puritans including of course Presbyterians in Maryland at that date. This statement is further borne out by the letters of members of the Church of England, which speaks of the small number of their clergy and their inadequate support. A number of minor facts point in the same direction.

Indeed it is apparent that we must so far modify our conception of the religious life in early Maryland as to believe that for

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[1] As for example Benjamin Whichcote, merchant, a relative of the famous Dr. Whichcote.

[2] *Archives of Maryland*, Council Proceedings, 1667–1688, p. 133.

a long series of years, extending from the rise of the Commonwealth to the revolution of 1688 or perhaps to the reign of Queen Anne, the majority of the people of the colony were decidedly Puritan in their sympathies. In Maryland there was also a rise and fall of Puritanism, a sort of picture in miniature of the great struggle in England.

We have shown then that the existence of Presbyterians in considerable numbers in Maryland can not be doubted. But when we come to the question of church organization, the matter is involved in great obscurity. Protestant ministers were very few in number for many years after the founding of the colony. There was no one to provide for them, as there was in the case of the Roman Catholic priests. For awhile any church organization must have been an extremely difficult matter. No doubt there were private meetings in the various houses conducted by laymen, a form of worship very congenial to the Puritans. There does not seem to have been any church organized by the Presbyterians prior to the arrival of Doughty, the first minister of that church to visit the province, which was somewhere about 1657.

There are some who think that we ought to date the existence of organized Presbyterianism with the arrival of the Puritans at Providence, now Annapolis. But it is evident that these were of the Independant party.[1] They had indeed elders, but so had many of the New England churches. Hammond, who knew them in Maryland, says that they were Independants.[2] The fact that many of them afterward became Quakers,[3] would also seem to indicate that they belonged to the extreme wing of the Puritan party rather than to the conservative Presbyterians. Certain it is, that while Quakerism was subsequently strong in Anne Arundel County, no discoverable trace of Presbyterianism can be found there at that early date.

We will date the organized existence of Presbyterianism in Maryland by the arrival of Rev. Francis Doughty, the first

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[1] Their minister in Virginia, Harrison, was an Independant.

[2] *Leah and Rachel*, p. 22.

[3] Randall's *A Puritan Colony in Maryland*, pp. 41–42. Also Neill's *Terra Mariae*, p. 148.

Presbyterian clergyman known to have visited the colony. His story reads like a romance. It is almost an epitome of the church history of that stormy time. He is believed to have been the son of an alderman of Bristol,[1] who while holding the living of Sodbury in Gloucestershire was ejected by the high church bishop, in 1625, ostensibly for speaking treasonable words against the king. Like thousands of other Puritans, he fled the country and came to America. He first appears in America about the year 1637, where we find him settled at what is now Taunton, Massachusetts.[2] There he lived and preached. But he soon found that things were not much smoother there than they were in England. In 1640, the Independant ministers of Boston sent down two of their number to be the pastor and teacher of a church, which they organized at Taunton. From these Doughty received but scant courtesy. Doughty preached a sermon in which he laid down the law as to whose children were to be baptized. It was the Presbyterian doctrine upon the subject, but it does not seem to have commended itself to the approval of Master Hooke and Master Stout. So, according to Lechford, "Master Doughty was overruled, and the matter carried somewhat partially as it is reported."[3] Doughty thinking no doubt that he had some rights as having already labored in the field, and that possession was nine points in the law, was inclined to resist. Whereupon the Boston ministers appealed to the magistrate. "The magistrate commanded the constable, who dragged Master Doughty out of the Assembly. He was forced to go away with his wife and children."[4] This was certainly a highhanded proceeding, and exhibits a union of church and state, which seems strange to our generation. That Doughty had the right on his side appears from the fact that Richard Smith, one of the elders and a number of others went into exile with him.

He emigrated to New Amsterdam. Here again new trials awaited him. A contemporary speaking of his leaving New Eng-

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[1] Neill's *Founders of Maryland*, p. 118.
[2] Emory's *History of Taunton*, Vol. I, p. 19.
[3] *Plain Dealing, &c.*, Thomas Lechford, 1641, p. 54.
[4] *Plain Dealing*, page 41.

land to avoid trouble, says: he had put himself "under the protection of the Netherlanders in order that he might, according to the Dutch Reformation, enjoy freedom of conscience, which he unexpectedly missed in New England,"[1] but adds: "he found that he had gotten out of the frying pan into the fire." The director Kieft granted him a patent of land with manorial rights on Long Island, where Newtown now stands. But this colony was broken up by the Indian wars, and the church there scattered. He then came to New Amsterdam, and gathered a congregation of the English inhabitants of the place. He seems to have been the first English clergyman, who ever preached regularly in New York. Soon a new trouble overtook him, this time for political reasons. His daughter had married Adrian Van der Donk, the principal lawyer of the colony and a political rival of Stuyvesant. There soon arose trouble about the grant of land on Long Island. Doughty was arrested for debt, and only released on the condition, that he would not give the authorities any trouble. One can not help surmising that Doughty was not a very prudent man to get himself into all these troubles. In each case however he had some very warm friends, who have left their testimony, that he was badly treated by those in authority.

After his release Doughty resided with his daughter, the wife of Van der Donk. In 1655 his son-in-law died, and shortly afterward he went with his daughter and other members of his family into "the English Virginias."[2] Perhaps he was afraid to remain with the Dutch after the death of his powerful protector, or he may have well been induced to go to Maryland by the freedom of conscience, which was enjoyed in that province. Some while before August 1657 he left for Maryland. He was well received there, purchased land,[3] and enjoyed the freedom for which he so longed. Just how long he remained in Maryland we have not been able to discover. He appears several times in the year 1659, once as a witness of Governor William Stone's will, whose sister Ann he had married. We have only vague reports of what he

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[1] Holland's *Documents*, Vol. I, p. 305.

[2] *Doc. History New York*, III, p. 106.

[3] Of Giles Thompkins, Jan. 1659, Liber S, 1658–1662, p. 340.

did in his capacity as a clergyman. His headquarters were at Nanjemoy, Charles County, where Stone resided. It is probable that he gathered a church at that place. Clergymen were scarce in the province, and his services would be gladly accepted. We know how zealous he had been in New England and in New York. Although he was now an old man, he was still vigorous enough to go about the country preaching and baptizing. We find him holding services in Accomac County, Virginia. His daughter the widow of Van der Donk, married in Maryland Hugh O'Neill. The place and date of his death, we have not been able to discover. His widow died in Maryland 1683.[1] The traces of his work in Maryland are provokingly small. It is however highly probable that he was the first pastor of the first Presbyterian church in Maryland. It is a pleasure to note that the liberty of conscience, which he had so long sought, but sought in vain, Doughty at last found in the liberal-minded religious policy, which made Maryland a place of refuge for all victims of ecclesiastical tyranny.

His successor in the work was Rev. Matthew Hill. His story is better known to us than that of Doughty. Hill's history is given at some length in Calamy's Non-Conformist's Memorial.[2] He was a native of York. He graduated at Magdalene College, Cambridge, and was noted for his knowledge of Hebrew. Ordained at York in 1652, he obtained the important living of Thirsk, Yorkshire, whence he was ejected for non-conformity in 1662. For awhile he was extremely poor. He managed to eke out a living by a private chaplaincy, but in 1666 he lost his little all in the great fire of London. In a letter at this time he subscribes himself: "Your brother *sine re, sed non sine spe.*" We quote from Calamy, "He had several relations who from the first pressed him to conformity; but no necessities could tempt him to think of offering violence to his conscience. At last, though he had a very tender constitution, he determined upon a voyage to the West Indies. [Maryland was presumably one of the West Indies in those days.] He embarked with little besides a few

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[1] Ann Doughty was almost certainly his widow. See her will, Liber G (Wills), p. 210.

[2] Calamy's *Non-Conformist Memorial*, London, 1803, Vol. III, p. 471.

clothes, a Bible, a concordance and a small parcel of MSS. He fixed at Charles County in Maryland in 1669, where a brighter scene began to open, and he had a prospect of considerable usefulness in the ministry and of a good advantage in temporal respects. But new troubles arose, which greatly disappointed his hopes; so that it may be said as truly of him as of most in modern times, that 'through many tribulations he entered into the kingdom of God.' He was a man of ready abilities, a serious, warm and lively preacher, and of free and generous spirit."

We are able to supplement this account of Calamy by several facts found chiefly in the colonial records. The most important of these facts are given in a letter to the celebrated Baxter, dated April 3, 1669.[1] [It would seem from this letter that Hill had reached Maryland somewhat earlier than 1669, although Calamy may be correct in assigning that date for his arrival.] The letter is a very interesting one. It appears that Baxter had furnished Hill with the means of paying his passage. He begins by gratefully acknowledging this kindness. "I am sure that the blessing of him that was ready to perish doth reach you though at this distance; what you have lost in your purse, I hope that you will regain in a better place." He gives a very favorable account of the people among whom he is called to labor, whom he calls "a loving and willing people." He speaks of the fact that, "under his lordship's government we enjoy a great deal of liberty and particularly in matters of religion." He also speaks of a large number of those of the reformed faith, and adds that they have no fondness for "the liturgy or ceremonies," which agrees with what we have already quoted from the statement of Lord Baltimore. He begs Baxter to use his influence in sending out three ministers, who should itinerate among the people, who are "as sheep without a shepherd." Then he does a little begging on his own account for a few books, a very natural request for a bookless minister in a bookless province. At the close of the letter he remarks that he will have to wait for any salary until the tobacco harvest, "which is the only current money of our province." That Baxter responded favorably to the letter is evident from the

[1] *American Presbyterianism*, Briggs, Appendix VIII.

fact, that that a considerable number of books are found in the inventory of Hill's goods.

His lot in Maryland, for a time at least, was a very pleasant one. Shortly after the penning of his letter, he married Edith, the daughter of Walter Bean or Bayne,[1] one of the wealthiest planters of the county. The lady was a widow, for she had already with a vast show of love and theology espoused Jonathan Marles in a marriage vow couched in strongly Puritanical language, which is one of the curiosities of the early records of the province.[2] In addition to this he obtained a grant of an estate, which he called Popleton[3] in memory of a village near York, where Dr. Sherwood his instructor in theology had resided. The estate is in the neighborhood of Port Tobacco, and is still known by that name. He signs himself Matthew Hill, Gentleman.

His peaceful career was interrupted by what Calamy calls "fresh troubles," the nature of which, however, he does not state. These troubles probably grew out of the arrival of George Fox, the celebrated Quaker preacher, and the large number of proselytes whom he gained. There was great bitterness of feeling in those days between the unordained ministers of the Society of Friends, and the ordained minister, whether Anglican or Presbyterian. Hill had encountered much opposition from the Quakers in his parish in England. And upon their arrival in great force in Maryland the conflict begun in England, would naturally be renewed. No doubt the doctrine of the unlawfulness of a hireling ministry interfered, possibly seriously, with the support of those who had to look entirely to the voluntary contributions of their parishioners. Whatever these troubles may have been, his delicate health must have added very much to them. After ten years of labor, the results of which we can only conjecture, Hill died in 1679. We are in possession part of legal documents,[4] which show that he

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[1] Mentioned in Bean's Will, dated April 10, 1670.

[2] Article by the author in *Magazine of American Church History.* Volume for 1890, p. 91.

[3] See Liber 16 (Land office, Annapolis), p. 421.

[4] Oct. 7th, 1679. Elinor Bayne appears in behalf of the orphan children of Matthew Hill, who died intestate. See Liber 17 (1679), p. 214 (Wills office), Annapolis.

left children, and a considerable estate,—a part of which was a library of seventy volumes.

Thus we see that for some twenty years at least the Presbyterians of Charles County were supplied with regular preaching, with an interval of five or six years, possibly less, between Doughty and Hill. Doughty undoubtedly preached in other parts of the State, as on the Eastern Shore. Perhaps Hill followed his example. It was an easy matter in those days to visit in a small vessel nearly all the parts then settled of the province. It has been customary to regard Somerset County, where Makemie, Traill and others preached in 1683 and even earlier as the cradle of American Presbyterianism. But it is now evident that nearly a quarter of a century earlier Presbyterianism had been planted on the Western Shore of Maryland by Doughty and maintained successfully by Hill. The liberty in the matter of religion of which Hill speaks in his letter was undoubtedly the cause of this. The Presbyterians could not lay any special claim to the sympathies of those in power in any of the colonies, as for example the Independants could in New England, the Episcopalians in Virginia, the Quakers in Pennsylvania, or the Dutch Reformed in New York. Hence they sought in Maryland a privilege, which they could find in no other colony, of absolute freedom of worship. Thus it happens that, at *first* on the shores of the Potomac, and *later* on the shores of the Pocomoke, we find the first attempts to organize American Presbyterianism.

After the death of Hill in 1679 the history of the Presbyterians on the Western Shore is largely a blank. Church organization continued as we learn from such incidental proofs as the following. In 1683 Peter Archer died, leaving a plantation and the services of a negro man "towards the maintanance of a godly minister and the good of his church."[1] He names as one of his executors Ninian Beall, a well known Presbyterian elder. What was done by the Presbyterians to carry out this bequest it is impossible to say. But that there was an organization among the Presbyterians, which continued after the death of Hill can scarcely be doubted. The government in the individual church under the Presbyterian

[1] Liber 4 G (1682–88), p. 19.

form of government, is the session or board of elders. Where they exist, a church exists. Now we know that such elders did exist, and we know the name of at least one of them. It is very improbable, that after a number of years of organized existence, the Presbyterians would allow all traces of such organization to disappear. Godly ministers such as Archer desired being hard to procure, some prominent laymen would come forward, and keep the church together, until a suitable minister could be found.

Such a man we find in Ninian Beall,[1] a well known planter in the province, and prominent in military affairs. Coming to Maryland in 1657 a poor mechanic, he rose at last to be a wealthy planter, a brave soldier, whose services were rewarded by a special grant from the Assembly, and one of the founders of manufactures in the colony in the shape of flour mills and iron furnaces. He is also very interesting from his connection with the church history. He was in Maryland when Doughty arrived. And living to a great age [he died in 1717, aged 92], he was well acquainted with the men who formed the first presbytery. He may lay claim to be called the father of Presbyterianism in Maryland, indeed in America. He was present at its birth, sustained it in the days of its weakness, and gave it a handsome endowment of land at Upper Marlboro or Patuxent. He lived to see a single church grow into a vigorous synod. That he was an elder we know, and it is almost certain that he is the "ancient and comely man, an elder amongst the Presbyterians," who entertained Thomas Wilson, the famous Quaker preacher at his house in 1692.[2] Who were the clergymen, who preached to the scattered flock on the western shore of the Chesapeake after the death of Hill, is not known. That there were preachers, not of the church of England, who could have performed this service we know from incidental references. Such a reference we find couched in very contemptuous terms in the letter of the clergy of Maryland to the bishop of London, dated May 18, 1696, which speaks of "a sort of wandering pretenders to preaching that came from New England and other places, which deluded not only the Protestant dissenters from our church,

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[1] See article by author, *Presbyterian Review*, Vol. IX, p. 380.

[2] *Life of Thomas Wilson*, Friends' Library, Vol. II, p. 326.

but many churchmen themselves, by their extempore prayers and preachments, for which they were admitted by the people, and got money of them."[1] We find two such "wandering pretenders" in the persons of Mr. Davis and Mr. Bartlett on the Western Shore, but of what denomination they were, it is impossible now to determine. It is quite possible, that although not Presbyterians, they may have preached for them at times. It is quite possible also, that the Presbyterian ministers, who were settled on the Eastern Shore may have paid flying visits to their brethren across the bay. It is evident, however, that until the establishment of the church of England in Maryland the number of Protestant ministers of all denominations was lamentably small.

Let us now turn our attention to the church on the Eastern Shore. This has long been regarded as the birthplace of American Presbyterianism. We have seen, however, that it was on the Western Shore that the first ministers, Doughty and Hill, first landed and established churches. This was at least twenty years before the arrival of the famous group of Scotch-Irish clergymen in Somerset County. It is true of these latter that they did their work in a more vigorous manner, and with more lasting results. The materials for their history is fortunately more abundant, although still very scanty.

Church historians have generally dated the origin of Presbyterianism in Maryland, indeed in America, with the arrival of the celebrated Francis Makemie in Somerset County in 1683. From recent discoveries we shall show that he built on foundations previously laid.

The first Puritan church on the Eastern Shore of Maryland, so far as known, was founded by the Rev. Ezekial Fogg, "practishioner in medicine and divinity," as he styles himself in his will.[2] It is doubtful whether he was a Presbyterian or Independant, but more probably the latter. We can trace his history back to 1674, when he is found preaching in Westchester county, New York.[3] His ministry in Maryland can not have been a long one, as he

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[1] W. S. Perry's *Historical Collections*, Maryland, 1878, p. 8.

[2] Liber No. 2, 1674–1704, p. 82. (Wills, Annapolis.)

[3] Briggs' *American Presbyterianism*, p. 105.

died in January, 1680. All that we know of his work is derived from his will, which speaks of his living in Dorchester County, near the Great Choptank. This will is, by-the-by, a pleasing contrast to the usual dreary and verbose language of such documents. Indeed the style is quite sprightly, especially, where he is giving directions to his executors as to the collecting of his debts. He gives them the sensible advice "not to meddle in the law to fling good money after bad," but "by all means to take a half loaf rather than no bread." Nothing further is known of the congregation gathered by Fogg.

We now come to that very interesting group of churches planted in Somerset county by Francis Makemie and his fellow-laborers. As we have said, this is the spot to which Presbyterians have turned as the birthplace of American Presbyterianism, and Makemie has been regarded as its apostle. Recent investigations have shown that we must somewhat modify this traditional opinion. There were Presbyterian churches founded in Charles County at an earlier period. And Makemie must share his honors not only with Doughty and Hill, but also with his fellow-workers on the Eastern Shore, Traill, Wilson and Davis. If Makemie was not the first Presbyterian minister in point of time, he was undoubtedly the most prominent minister of that church in America in his generation. If not the founder of American Presbyterianism, he was at least the moving spirit in the successful effort to bind together the scattered churches into a presbytery, and thus establish the church on a firm basis.

Makemie's name is closely associated with the Eastern Shore. Yet very little of his time was really spent in Maryland. We shall give but a brief outline of his history, partly because so much of it lies outside our present purpose, but chiefly because the details of it so far as known, have been often written about, and can be found in any history of the Presbyterian Church.

Francis Makemie[1] was born near Rathmelton, County Donegal, Ireland, about 1660. He studied at Glascow, appearing there as a student in 1676. In 1681 he was examined before the presby-

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[1] Consult Briggs' *American Presbyterianism* and Bowen's *Days of Makemie* for the following facts.

tery of Laggan, Ireland, and ordained in 1682 to go to America. This ordination was the result of a letter of "collonell Stevens in Maryland beside Virginia," who wrote from Somerset County to the presbytery for a "godly minister." Makemie was probably induced to this course by Rev. William Traill, the moderator of the presbytery, who when persecution broke out in Ireland, came to Maryland himself. Makemie arrived in Somerset some time in the year 1683. In May, 1684, he left, and labored among the Puritans of Elizabeth river, Virginia, who had settled there many years previously. The probable reason for this was that there were already several Presbyterian ministers in Maryland at the time, and he went where he supposed he was most needed.

Makemie's work was mostly of an itinerant character, founding new churches and encouraging feeble ones. We find him as far South as the Barbadoes, as far North as New England. In order to support himself in these journeys he engaged in trade. It is plain, however, that he did not make money-making the chief end in this matter, but rather became a merchant as St. Paul became a tentmaker, lest he should be chargeable to his congregations. Wherever he went, he labored earnestly as a minister of the gospel. In 1690 he returned to the Eastern Shore, and settled on the border line between Maryland and Virginia. He married, and became the pastor of the church at Rehoboth in 1691. He did not remain very long, but left in 1692 for Philadelphia, and afterwards went to the Barbadoes, where he remained for several years. Again in 1698 he returned to his old home on the Eastern Shore, and made it his home until he died.

He did not stay there all the time by any means. He seems to have regarded himself as the servant of the whole church. In the interests of Presbyterianism he journeyed to the northern colonies, Pennsylvania, New York and New England. It is interesting to notice the interest which the Boston ministers took in Presbyterianism. Makemie was in constant correspondence with Increase Mather. Not content with his efforts in America he went abroad in the summer of 1704 to obtain help from the Presbyterians of England and Scotland. The ministers of that church in London raised funds to assist him, and, having obtained the means of their support for two years, he set sail for America,

taking with him two young men, John Hampton, an Irishman, and George McNish, a Scotchman. These men began to labor in Somerset County, in Makemie's old field. In the spring of 1706 Makemie succeeded in realizing his long cherished dream, and accomplished the greatest work of his life, in persuading six other Presbyterian ministers to join with him in forming the Presbytery of Philadelphia, the first Presbytery of the American Presbyterian Church. With this meeting its history as an organized body begins, and Makemie, as the originator and zealous promoter of the plan, may justly be called the "Father of American Presbyterianism." It is interesting to note that of the seven ministers who formed this Presbytery five were then, or had been, laboring in Maryland, Makemie, his two protégés, Hampton and McNish, Taylor, pastor at Patuxent, and Davis, who for several years had labored at Snow Hill. If Makemie be the father of Presbyterianism in this country Maryland was its cradle.

Makemie deserves notice as the promoter of what he regarded the material interests of Maryland. During his sojourn in London he published a book dedicated to the governor of Virginia, entitled, "Plain and friendly persuasive to the inhabitants of Virginia and Maryland for promoting towns and cohabitation."[1] There were no towns then in either colony, and Makemie had the good sense to see what a great advantage they were to the northern provinces. He naturally felt that there ought to be in the South something corresponding to Boston, New York or Philadelphia. Especially was the lack of them felt from the standpoint of religion, it being very difficult to gather congregations in the open country. The idea was an excellent one, and one which the assembly in Maryland tried several times to carry out. But the old English idea that the landed proprietor was the gentleman, and the tradesman was not, so prevailed, that villages grew up very slowly. It may be remarked in passing, that the genius of Presbyterianism was specially adapted to towns, where people met frequently, and discussed the intellectual side of religion. It certainly has always fostered the intellectual in those who professed it. One writer[2] has gone so far as to assert,

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[1] See an account of it in Briggs, p. 139. [2] Neill, *Terra Mariae*, p. 198.

that the reason why Presbyterianism, after so excellent a start did not make more progress in Maryland was that there were no towns to give the mental stimulus necessary to appreciate the doctrinal side of religion, which that church so prominently presents.

There is one other incident in the life of Makemie so famous and so characteristic of the period in which he lived, that, although it lies outside of his experiences in Maryland, it ought not to be omitted. This is his famous trial before Lord Cornbury, the governor of New York. Makemie and Hampton arrived in New York in 1707, and were invited by the Presbyterians to preach. The Dutch kindly offered their church. But Cornbury forbade his preaching there. So he preached in a private house in Pearl Street on January 20. Cornbury was a man, whom Bancroft describes as "joining the worst form of arrogance to intellectual imbecility." He was indeed a most intolerant bigot, and had already seized several of the Presbyterian and Independant churches, and handed them over without any legal right to the clergy of the Church of England. His trial of Makemie reads like one of the infamous assizes of Jefferys. Makemie, having the law on his side in the shape of a license to preach from the governors of Maryland and Virginia, pleaded his cause so well, that although he was treated in an arbitrary, not to say brutal manner by Cornbury, he was compelled to release him on bail. On his appearing later on for trial, Makemie was acquitted. Yet the governor in spite of it, forced him to pay all the costs of the trial, amounting to over £83, a very large sum for those days. This was one of the last events of his life. He returned to his plantation in Accomac County, Virginia, and died there in the summer of 1708. He left a large property, and a fine library, which latter he bequeathed to Rev. Mr. Andrews of Philadelphia.

Makemie's work in Maryland was but a small part of his life's work. A man of truly apostolic character, all the British colonies in America felt his influence. His works which have come down to us show him to have been a man of decided intellectual ability. To him belongs the noble distinction of those who have been martyrs for the truth. Both in Ireland and in America he showed himself willing to suffer for his faith.

Turning now to the men, who with Makemie laid the foundation of the churches in Somerset County, we come to William Traill, the most conspicuous man among them after Makemie himself. Traill[1] was born in Edinborough in 1640, the son of a Scotch clergyman, Robert Traill. After graduating from Glascow he went to Ireland, and was the pastor of a church in the presbytery of Laggan, the same presbytery as Makemie and Wilson. He was a conspicuous man, and accordingly suffered persecution for conscience sake. Upon his release from prison in 1682 he came to America, probably directly to Maryland, as he had been invited thither by Col. William Stevens. Unfortunately we know very little of his work in Maryland. We read of his buying land in the neighborhood of Stevens' place, Rehoboth,[2] and it is probable that he was the founder of that church. He seems to have been much esteemed by his parishioners, as he received bequests from John White in 1685,[3] and again from John Shipway,[4] in 1687. In Nov., 1689, he, with Wilson, Davis and other Presbyterians, signed a petition to William and Mary, asking "protection in securing our religion, lives and liberty under *Protestant Governors.*" The presence of so able a man could not but produce a great impression upon the religious life about him. Indeed, during his stay of somewhat more than seven years in Maryland, it is probable that his influence was much greater there than that of Makemie. After the revolution of 1688 he was called to Scotland, and returned there in 1690[5] to become the pastor of the church of Borthwick, near Edinboro.

We now come to the name of a man, who is little more than a name, although it is very probable that his influence in his day was a great one, the name of Rev. Thomas Wilson. There can be little doubt that he was the Thomas Wilson, pastor at Killybegs, County Donegal, where the poor man was nearly starved to death on £12 a year.[6] Still less doubt can there be, that he is

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[1] Briggs, pp. 116–117.

[2] *Days of Makemie*, p. 137.

[3] Liber G, p. 200 (Wills). Annapolis.

[4] Liber G, p. 273 (Wills). Annapolis.

[5] The last mention of his name in this country occurs in February 1690. *Days of Makemie*, p. 180.

[6] *Days of Makemie*, p. 524.

the Thomas Wilson to whom Col. William Stevens in May 20, 1681, assigns "a parcel of land called Darby, containing 350 acres."[1] He seems to have been the first "godly minister" who accepted Stevens' invitation to come to America. To him then we owe the founding of the first of the famous Somerset County churches. His career in Maryland is unknown to us outside of the record books. Until very recently his presence in this country was unknown. He was the first pastor of the church at Manokin, now Princess Ann. He appears as its pastor in several documents, such as the will of John Galbraith, 1691,[2] the sheriff's report to Governor Nicholson in 1694, and the will of David Brown in 1697.[3] In 1695 he signs his name as a non-conformist minister to a congratulatory address sent to King William III. on his escape from assassination. In 1692[4] he declares his willingness to take the oath of allegiance, and even to conform to the church of England except in "some small matters." His brother Ephraim Wilson was sheriff of the county for several years, an ancestor of Senator Ephraim K. Wilson. There is a will dated April 20, 1702, of a Thomas Wilson,[5] but it appears to be that of his son. As he is not mentioned in the will, he was almost certainly dead at that time. These are the few bare facts of his life, so far as the writer has been able to discover them.

With these three names there is closely association the name of Samuel Davis. It is probable that he was an Irishman.[6] He came to Maryland as early as 1684, in which year he celebrated a marriage in Somerset County.[7] In September of the same year he received from Col. William Stevens a warrant to

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[1] Land Records, Annapolis, Liber 21, p. 314.

[2] *Days of Makemie*, p. 205. [3] Liber H, p. 150, (Wills, Annapolis).

[4] A petition from Somerset County, signed by 112 persons, "praying the continuance among them of their 3 ministers, viz., one of the church of England, and the other two dissenters, only in some small matters, but willing to qualify themselves so far as in conscience they can by taking the oath of allegiance and adhering." Liber K, p. 45, Sept. 30, 1692.

[5] Liber T. B., p. 320. [6] See Briggs, p. 124 note.

[7] *Days of Makemie*, p. 114. There appears the name of Samuel Davies in 1678 as residing in Somerset County. This is possibly Samuel Davis. *Archives of Maryland*, Proceedings of Council, 1666–88, p. 98.

have laid out "500 acres called Inch, east side of the Chesapeake Bay, southeast side of the Pocomoke River, upon St. Martin's Creek."[1] His labors were in the northern and eastern parts of Somerset, extending into Delaware, where Keith says that he saw him in 1692, and where he ultimately went and settled. He was pastor of the church at Snow Hill in 1691, and how much earlier we do not know. He was probably the founder of that famous and venerable church, and continued as its pastor until 1698. His name occurs a number of times upon the colonial records, as for example among the signers of the address of congratulation to William III in 1695. In 1697 Davis and James Brechan, an Episcopal clergyman, got themselves into a disagreeable scrape at an entertainment given by Squire Layfield, where several of the party, according to their story, were "overtaken in drink." Layfield had married the widow of William Stevens, and being made a widower by her death, proposed to console himself by marrying her niece. A marriage service was jestingly performed, in which both the clergymen took part. The matter became at once a scandal, as the marriage was against the laws of England. Both the clerical gentlemen had to stand a trial in consequence. They explained that it was all a joke, and begging pardon, they were let off without the fine, which Layfield had to pay. Whether this had anything to do with Davis's leaving Maryland it is impossible to say, although he evidently thought himself badly treated in the affair. At any rate he soon moved to Hoarkill, now Lewes, Delaware, where he resided and preached for a number of years. He was one of the ministers summoned to form the first presbytery, but he does not seem to have taken a great interest in this important matter, as he only attended twice,[2] although he survived the formation of the presbytery a number of years. As the presbytery sent him word, that his excuses for non-attendance were not sufficient, we may conjecture that it was not ill health, but either indifference or his being engaged in trade, that detained him from the church courts. His name appears as one of the three ministers set apart to form the presbytery of Snow Hill in 1716. From

[1] Liber 22, p. 262 (Land office, Annapolis). The place still exists.
[2] In 1708 and 1714.

that date we lose sight of him, and the date of his death is uncertain. It is impossible to form any just estimate of his career as a minister, but from one or two hints it would appear that he was scarcely the peer intellectually or spiritually of the fellow ministers with whom his name is so associated.

The ministers who thus so successfully labored in Somerset were greatly aided by several prominent laymen, notably Col. William Stevens, at whose invitation and expense they were brought from Ireland. There were also other prominent men, such as David Brown, John White, and the leading men in fact of that section of the province. They built regular churches, not being satisfied to worship in private houses. These were but plain structures, but they had three of them, one at Snow Hill, one at Monokin, and the other, rather vaguely described as being "at the road going up along the seaside," was either Rehoboth, or possibly at St. Martin's.[1] So strong were the Presbyterians in this section, that it was with great difficulty that the Church of England found a lodgment there. In 1695 Rev. James Brechan, our friend of the mock marriage, complains that "the people will not pay him his dues, but will do so to the dissenting ministers." As late as 1711 Rev. Alexander Adams writes to the Bishop of London that he is the only clergyman of the Church of England in Somerset County, and very poorly paid, while the Presbyterian churches are carefully supplied. Presbyterianism is still strong in this section.

Returning to the Western Shore we have seen how, from the death of Hill in 1679, the history of the Presbyterian Church there is involved in great obscurity. So great is the obscurity that some have taken it for granted that there was no such thing as organized Presbyterianism until the beginning of the eighteenth century. We have tried to show that this could scarcely be the case, when so many prominent laymen were Presbyterians, and also by the fact that among the few notes on the religious condition of the country, we find at least one notice of a Presbyterian

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[1] See note, *Days of Makemie*, p. 533. Davis's estate, called Inch, was on St. Martin's Creek, two miles north of the present village of St. Martin. Dr. Bowen, in a letter to the author, thinks this conjecture a probable one.

elder. This period of uncertainty suddenly comes to an end with the year 1704, when we discover a full-fledged Presbyterian church with a pastor and a large number of adherents at Patuxent. This is mentioned at great length in a deed giving the church a lot in what is now Upper Marlboro from Col. Ninian Beall.[1]

How long this church had been organized, it is impossible to say. So large a number of persons are mentioned as the officers of the church that it must have existed for some little time, perhaps for a number of years. It was the heir of the church that Hill founded, and Ninian Beall forms the connecting link between the two congregations. As we find the church described in this deed, it must have been a strong congregation, for sixteen men are named as the trustees, some of whom were among the most prominent men in Prince George and Charles Counties. As we find the erecting of a church spoken of in the grant, it is probable that this was their first house of worship, although the language of the latter part of the deed leaves this somewhat doubtful. We find a session of several elders, some of whom we find in the minutes of the presbytery of Philadelphia, such as James Stoddard, Alexander Beall. The parish was a very large one, extending over all of Prince George County and into Charles. Even in 1719, when the church at Bladensburg was built, and the parish divided, it included part of Charles County. Ministers had to ride far afield to visit parishioners in those days.

There was a strong Scotch element in the congregation, as the names would indicate. Probably then the church was organized strictly on the Scotch model. But there was also a strong English element, and of the three clergymen known to us as pastors of the church, all came out from London, and two, Taylor and Orme, were Englishmen.

The pastor mentioned in the deed—and probably the first pastor of the church—was Rev. Nathaniel Taylor. Very little is known of Taylor. We do not know the date of his coming to Maryland, but it was hardly much before the granting of the property by Beall. A worthless tradition says that he was a Scotchman

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[1] For a full account of this deed discovered by the author, see Briggs, Appendix XII.

who came over in 1690, but this is plainly wrong. Another ingenious guess says that he came from New England. But of this there is no proof. An examination of the inventory of his goods,[1] which includes a fine library, reveals these two facts; that he was a bachelor, and that he had just such books as an English non-conformist clergyman of that period would be likely to have. The meagre facts so far as we have them, would seem to point to his being the son of the famous non-conformist divine, Rev. Nathaniel Taylor, who preached at Salters' Hall, London, so eloquent that he was known as the Dissenting South.[2] An intimate friend of Dr. Reynolds, who sent a number of young men to the struggling Presbyterians of America—it is quite likely that Taylor came out to Maryland, in this way, shortly after the death of his father in 1703.

The library referred to is such a fine one, that one feels much dissapointed that we know so little of the owner of these well selected 500 volumes. The man who took so deep an interest in science as to have in his library several of the most recent works by Boyle, Bently, Newton and Locke, was no ordinary man. The theological works were well chosen, containing a number of foreign authors, although naturally the writings of the Westminister Divines occupy a conspicuous place. Outside of the deed and the inventory we know nothing of Taylor, except that he took an active part in the proceedings of the presbytery, which he attended with great regularity. At his sudden death, about January 1st, 1710, he was deeply mourned by his congregation. It is probable that he was a young man, before whom lay years of usefulness. The loss of such a scholar at such a time was, no doubt, a great blow to his people. We may feel sure that it was also a great loss to the infant Presbyterian church.

With the organization of the first presbytery we bring this sketch to a close. After that date the original documents for church history are far more accessible, and the facts are generally well known. It will be well to take a glance at the state of the

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[1] *Vide*, article by the author in the *American Magazine of Church History*. For inventory see Liber W. B. 9, p. 159.

[2] Wilson's *Dissenting Churches*, Vol. II, p. 13.

Presbyterian Church in Maryland at this date, 1706. On the Western Shore we have but one organized Presbyterian Church, the one at Patuxent. There was a considerable number of Presbyterians in Baltimore County, as is shown by the fact that soon after this they organized a church, and called a pastor. On the Eastern Shore we have the flourishing group of churches at Snow Hill, Rehoboth, and Monokin, with Makemie, Hampton, and McNish as their pastors. There were also in Cecil County a number of Presbyterians, who had not, however, yet organized. But shortly after this period we find in this part of the country, and in adjoining parts of Pennsylvania and Delaware, a number of churches organized from the Ulster Presbyterians and the remains of the churches which had been founded by the Dutch Reformed.

Small as this little group of churches was, it was by far the strongest then existing in the colonies among the Presbyterians. It seemed to have before it a great future, and that Maryland would be a stronghold of Presbyterianism. This has not been the case. To what are we to attribute its failure to fulfil this promise? I. The principal cause was undoubtedly that mentioned in a letter from the Presbytery of Philadelphia to the Presbytery of Dublin in Ireland, dated September, 1710. "Not long ago there was a probability of doing more good in Maryland before episcopacy was established by law."[1] This was the main cause, a very sufficient one for the comparative failure in Maryland after so excellent a start. No church establishment was better off, and few as well off, as that of Maryland. The clergymen were well paid, the churches built at the expense of the State. The church indeed became a department of the colonial government with the Governor at the head. Having thus plenty of money it was a comparatively easy matter to obtain ministers to fill all the parish churches. On the other hand the Dissenters in Maryland, although thanks to the interference of William III, they were granted many privileges, were yet under considerable disadvantages. It was a small matter perhaps, that they were obliged to leave their meeting houses unlocked. But when it came to making them support the clergymen of the parish as well as their own, it required considerable zeal for

[1] Published Minutes of Presbytery of Philadelphia, p. 20.

Presbyterianism for a man for conscience sake to give double tithes, especially if that man was poor. The dissenting minister was thus placed at a great disadvantage compared with his government-paid brother of the establishment.

Another fact that told against the Presbyterian clergy of the colonies was that for many years there was no college, no theological seminary for the raising up of a native ministry among them. This lack of educational machinery was particularly felt by the church, which demanded above all things that her clergy should be an educated clergy, with knowledge of Latin, Greek, and Hebrew. For awhile they were obliged to look to the mother country for their supply of ministers. In this, too, they were at a disadvantage as compared with the Episcopal Church, as the Church of England had far greater wealth and a far larger number of men in her ministry, than the Presbyterian Churches of Scotland and Ireland. Had the Presbyterians been in the decided majority in any one colony, as the Congregationalists in New England, or the Episcopalians in Maryland and Virginia, some Presbyterian Harvard or Yale would have been founded at a very early date. But unfortunately for them, they were scattered and nowhere possessed great wealth or political power. One cannot help regretting that some of the wealthy laymen of early Maryland, as Beall or Stevens, had not seen the pressing need of such an institution, and devoted some of their numerous acres to the founding of some Nassau Hall, which would have been not only the pride of the Presbyterian Church, but would have had a most important influence on the whole colony. Augustine Herman, the Bohemian Presbyterian, had some such scheme in his mind, as may be seen from his will. What a pity it was never carried out.

The colleges of New England were drawn on to a certain extent. But although in the beginning there was great cordiality and considerable correspondence between the New England divines and their Presbyterian neighbors to the south, notably with Makemie, later on there grew up a coolness, possibly because there was no longer the bond of a fellowship in suffering at the hands of the English Church. At any rate it was to Glascow and Edinboro that the Presbyterians in America usually looked for their supply of ministers previous to the founding of the college at Princeton.

Another reason for the decrease of the number of Presbyterians

in Maryland must be sought in the fact, that their supply from Europe was to a great extent cut off. A glance at the history of England will help us to understand this. When Maryland was founded England was Puritan, so far, at least, as the great middle class was concerned. When the century ended, the Church of England, re-established under Charles II, had so far regained her strength that the number of dissenters was reduced to a feeble minority. A corresponding change must therefore be looked for in her colonies, and in no place perhaps more than in Maryland, where the waves of religious opinion closely followed those of the mother country. In her earliest days the tolerant policy brought persecuted Puritans to the province. Under the Puritan supremacy in England, the colonists came from the very classes most thoroughly leavened with that doctrine.

After the Restoration the religious freedom enjoyed in Maryland offered a place of refuge to the Presbyterians of England and Ireland. We need not be surprised then that such men as Doughty, Hill, Nicholet, and others found refuge from the storms of persecution in Europe in the liberally governed province, where there was liberty of conscience and no established church. For a time, even in England, there remained a strong Presbyterian element, from which the colonists to the New World would naturally be largely drawn. But times changed. There grew up a new generation, who had been educated under the Establishment, not under the preaching of the great Puritan divines. A corresponding change took place in the colonies, at least among the English settlers. The descendants of the Puritans had become admirers of the Establishment. And this cry for a similar establishment affected almost all the colonies except, of course, New England. The people of Maryland demanded an Establishment. Lord Baltimore, being a Roman Catholic, warded off any movement in that direction for a time. But the demands of the colonists grew louder and louder. Even the Presbyterians joined in these demands, or at least were not in the first instance opposed to such a scheme.[1] This may appear to us strange. But there

[1] We find such Presbyterians as David Brown, Ninian Beall, and others, signing a petition to King William for an Establishment "according to the fundamentals of the Church of England."

was such a prejudice against the Church of Rome, and such a fear, that under the liberty enjoyed in Maryland, the Roman Catholics might be taking advantages which would be denied them under an Establishment, that all the Protestants made common cause. This is less surprising, also, when we remember the terrible persecutions which the Huguenots of France were then enduring. All Protestants then believed in the union of Church and State, and the benefits of their separation under the liberal policy then adopted by Maryland were not so evident as they might have been, because of the inability of the people to support their clergy, which had resulted in a deplorable scarcity of churches. Besides all this, the people expected great things from the admirable plan submitted by Bray, and the Presbyterians were not so selfish as to oppose that which seemed so plainly for the public good. And so the Church of England became the Established Church of Maryland, and those churches which had not long before formed the majority, were reduced to dissenting sects. The Presbyterians soon discovered to their sorrow, how much they had lost by the change. But it may be doubted whether, with the great change in the religious sentiments of the English people, powerfully affecting public sentiment in Maryland, together with the evident need of some adequate provision for the support of the clergy, it was possible to prevent the English Church from becoming the established church of the colony.

It is interesting to note the difference between the action of the English Presbyterians and their Scotch co-religionists at this juncture. The first Presbyterians to come to Maryland were of English origin—Doughty, Hill, and such laymen as Bean and Stone. But English Presbyterianism never had so strong a hold on the hearts of the people as had its sister church in Scotland, which had never known any other form of Protestantism. Moreover the English divines generally held only to a presbytery which was agreeable to Scripture,[1] not strictly "jure divino." Hence it was comparatively easy to conform to the re-established church in England, and the newly established church in Maryland. The

[1] The language of the Westminster Assembly is, "It is lawful and agreeable to the Word of God."

English Puritans in Maryland generally, with the exception of the Quakers, followed the example of their brethren in the old country, as was only natural. Some few, as at Patuxent, remained faithful to the Presbyterian preferences of their ancestors. But after 1700 the English element in Maryland Presbyterianism becomes a very small one.

Quite otherwise was it with the Scotch and the Scotch-Irish. Presbyterianism had been the religion of their fathers from the time of the Reformation. It was thus hallowed to them by a thousand sacred memories. For it they had been obliged to fight and suffer terrible persecutions. It had been the object of the long and bitter struggle which had been waged against them by the monarchs of the house of Stuart, to force Episcopacy on them. Hence they hated Prelacy, as they called it, with a perfect hatred. It was only natural then that they should remain loyal to Presbyterianism, organizing churches of their own, wherever they settled in considerable numbers, and cheerfully supporting their pastors.

One reason for the failure of Presbyterianism in Maryland to grow rapidly may be found in the location of their strongest churches. Somerset County was the most remote part of the province, and was itself isolated from the rest of the world. Had the churches planted there been nearer the centres of influence, they would have had a much wider influence. The church at Upper Marlboro though alone became the mother of a number of other churches, which still exist in Prince George and Montgomery Counties.

A word or two in regard to the church buildings, style of worship, &c. Most of the churches were extremely plain, much like the "houses" described by the sheriff of Somerset County in his report, as existing at Snow Hill, and Monokin; "about thirty feet long, plain country buildings, all of them."[1] Most of the churches were built of wood, and that very roughly prepared, in some cases not having even a plank flooring. At the lower end of the church there was often a gallery, where the servants sat.

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[1] The Rolls office, London, *Maryland Documents*, III, B. 39. Sheriffs' report from all the counties in Maryland in 1697.

In some cases the building was of better description. The church at Patuxent was of English brick, according tradition. There was an entire lack of anything like ornament. There was no organ in use in any of the churches, it being an article of luxury, and organists being very rare. The Scotch would not have used them if they could have been procured owing to the sentiment against them. The singing was conducted by a precentor, as in the Scotch Kirk, and was lined out by the minister, as few of the congregation possessed hymn books, and many could not have read them. As to the books used, we find that at Patuxent they used Tate and Brady,[1] as in the English church, but on the Eastern Shore they probably sang the psalms according to the version of Rous, in orthodox Scotch fashion. One relic of that time has come down to us in the shape of the remains of a handsome communion service of English plate made in 1707, once used at Patuxent, possibly a gift of Ninian Beall.[2]

Of the political influence of the Presbyterians residing in Maryland upon its history during the period embraced by this sketch it is difficult to say anything certainly. We have spoken of their influence in the matter of passing the famous Act concerning Religion. It is impossible to distribute the honors for that most sensible and most christian legislation at this late day. All that we contend is, that the part that the Puritans played in the matter should not be ignored, when we know that they composed a large part, if not the majority of the Assembly, which passed it.

In regard to their legislation, when for awhile they held the reins of government, only one adverse criticism can be made in regard to it, the one act where the liberty granted under the Act concerning Religion is repealed, and Papists and Prelatists excluded from the free enjoyment of their religion.[3] From our point of view this was a piece of bigotry, peculiarly unkind, after the liberality shown by Lord Baltimore. But in this act they were but applying the law passed by the English Parliament

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[1] Taylor's library contained a number of them.

[2] The tankard and cups having been sent to the church at Bladensburgh are still in use by that congregation, now located at Hyattsville.

[3] *Archives of Maryland*, Assembly Proceedings, 1637–1664, pp. 340–341.

to the colony, a not unnatural proceeding. In regard to their attitude toward the Lord Proprietor or in secular matters they are to be admired, not condemned. It was impossible for them to have acted in any other spirit. Their party in England had overthrown the monarchy. Baltimore was practically a sovereign in Maryland.[1] No wonder then that some of them hesitated to take the oath of allegiance to him, and still others wanted to get rid of the title, "Absolute Lord and Proprietor." During the eight years that the Puritans held possession of the province, a practical democracy prevailed. The laws passed by them were of a wise nature. Even the law against "Papists and Prelatists" does not seem to have been enforced.

A decided trace of Puritanism may be found in the strict Sabbath laws passed, all of which even that of November, 1678, "for keeping holy the Lord's Day" are couched in Puritan language. The tradition in Maryland has always been for the strict keeping of Sunday. How much of this is due to the Puritan ideas of the early settlers?

There was naturally considerable feeling between the Presbyterians and the Roman Catholics, owing to the corresponding violence of feeling in Europe, where, especially in France and Ireland, the reformed churches were suffering bitter persecutions. Very little of this feeling appears, however, upon the surface in Maryland, except perhaps on two occasions. Coode, the "Titus Oates of Maryland," as he has well been called in his rebellion in 1689, managed to arouse a great deal of bitter feeling against the Roman Catholics by false reports and appeals to prejudice. He so far duped Beall, a leader among the Presbyterians, as to induce him to join his forces. But there was no general movement among the Presbyterians, and Beall himself took a much less active part in the plot than some of his companions. It would be unfair to blame the Presbyterian party generally for the action of one or two of their members. Again, the readiness with which the Presbyterians acquiesced in the establishment of Episcopacy may have

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[1] Lord Baltimore's sovereign power was frequently complained of at a later period, as by the Episcopalians, when in 1677 he opposed the establishing of the church of England.

originated in their distrust of Lord Baltimore and his Roman Catholic friends, who would be deprived of what power they had, to a great extent at least, by the act of establishment. Yet this is but a matter of conjecture. If it existed it may have been due to a feeling of "Timeo Danaos et dona ferentes," a suspicion which was certainly justified by the conduct of James II.

After the restoration in England anything like democracy in Maryland was of course impossible. Yet the spirit which led the Puritans to demand their rights in the great civil war of England was not dead either in the old country nor in the colonies. Occasional flashes of it may be seen in Maryland, as when the Puritan Nicholet, in a sermon before the Lower House on April 26, 1669, endeavored to stir up the people to demand their rights.[1] He got a severe reproof, had to beg pardon, and quitted the province. It slumbered on until a century later, when it burst forth in the demand for liberty by all the colonies. In that great movement the Presbyterians everywhere took a most prominent part, their ministers and laymen being with scarcely an exception ardent patriots.

After the establishment of the English Church in Maryland, the number of Presbyterians was, as we have said, proportionately much smaller. But there is one legacy which the old Puritan families, whose descendants went into the English Church, left to them, which we think we can trace in the later religious history of the province. The rise in the next century of Methodism was but the reappearance of Puritanism under a different guise, and with a somewhat altered theology. The sympathy of many of the Presbyterians of this country, such as the Tennents, Jonathan Edwards, and others with this movement is well known. Whitefield came to this country, gladly welcomed by the Presbyterians. He preached in the church at Upper Marlboro, where however he found the people "in a dead sleep."[2] John and Charles Wesley had for their grandparents Presbyterian divines on both sides of the house. May there not have been a similar ancestry in Maryland, and the Methodism there be the descendant

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[1] *Maryland Archives*, Vol. II, pp. 159–163.

[2] Letter to Noble of New York, Dec. 8th, 1739.

of early Puritanism? In no state did the early Methodists gain greater success, and this in the face of an all-powerful established church. This may be ascribed to the earnest zeal of the first preachers, to the fact that the church had suffered from the evils of establishment, where the governor was the head of the church, and also to the fact that many of the established clergy sympathized with England in the struggle with the colonies. But may not its success be in part, at least, due to a Puritan tradition within the establishment itself, coming down from the early settlers, who formed the congregations of Doughty and Hill, Fogg and Taylor?

Socially, the Presbyterians were among the best elements in forming the character of the people of Maryland. The morality preached by their ministers was of a high type. It is well known that wherever Presbyterianism has gone, it has fostered education. Its type of religion is a very intellectual one. The children in their early childhood are taught the Shorter Catechism, a body of divinity in itself. The clergy preach doctrinal sermons and expect the people to discuss at length afterward the points brought forward. The most intelligent body of men in the colonies before the Revolution was the clergy of the Presbyterian and Congregational churches. They were the ablest, almost the only educators of prominence. In this general intelligence the Presbyterians of Maryland partook as a matter of course. Although being less wealthy and powerful than some of their northern neighbors they founded no college to be the rival of Princeton, from the earliest time they took a great interest in the matter of education. One of their leaders on the Eastern Shore, Daniel Brown, showed that interest by leaving £100 to the University of Glascow. Would that he had left it to found a good school in Maryland. In the 18th century the Presbyterians founded more than one academy in Maryland, which did good work in their day. In general we may say that there were two great objects which the Presbyterian church in Maryland has always been most zealous in maintaining, a love for personal and political liberty, and the cause of popular education.

VII-VIII-IX

NOTES ON THE PROGRESS

OF THE

COLORED PEOPLE OF MARYLAND

SINCE THE WAR.

"Equality cannot be conferred on any man, be he white or black. If he be capable of it, his title is from God, and not from us."—*James Russell Lowell.*

JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE

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History is past Politics and Politics present History — *Freeman*

EIGHTH SERIES

VII-VIII-IX

NOTES ON THE PROGRESS
OF THE
COLORED PEOPLE OF MARYLAND
SINCE THE WAR.

A SUPPLEMENT TO THE NEGRO IN MARYLAND: A STUDY OF THE INSTITUTION OF SLAVERY.

BY JEFFREY R. BRACKETT, PH. D.

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BALTIMORE.

NOTES ON THE PROGRESS OF THE COLORED PEOPLE OF MARYLAND SINCE THE WAR.[1]

Much has been said and written of what is called the negro problem of the South. The subject has been carried, wisely or unwisely, into the halls of congress, and some precious hours have been spent over it, without result. The writer of these notes is well aware that he will be told that a residence of a few years in Maryland will not allow him to speak with authority on the problem, as an old resident of the "black belt" of Virginia or Carolina might speak. To this he would answer only, that he does not presume to enter the lists, to champion any theory or radical solution of the mooted problem, but would aim simply to trace the outlines of the recent progress of the colored people in the community about him. If the study of history, like charity, begins at home, a few facts, though forming only a petty chapter of historical development, may be worth more than much hearsay evidence, newspaper clipping, or speculation on what ought to be. It may chance that the few facts of this petty chapter may give a clue to the yet unwritten ending of the great book of "reconstruction" between the white and colored peoples.

[1] NOTE.—The writer will be very thankful for any corrections, or additions to these notes. 106 North Avenue, Baltimore, Md. April, 1890.

In some respects, Maryland is a most interesting and instructive field for a study of the progress of the colored people. A very intelligent colored man has said that his people there would have been much further advanced, had the State seceded and shared the fate of the more Southern states. However this may be—and, indeed, the colored men of Maryland have been little heard of in politics or in the press—the fact that in Maryland the extreme radical rule of reconstruction days was not known, will prove of great significance. The paths of both the white and colored people, there, lay very differently from those in the states further South. We must cast a few quick glances to the far end of both those paths; for distance tends to make murky many things which must not be forgotten.

Maryland did not secede—but what would have been done, had the federal troops not early arrived, and had public sentiment been left entirely to itself, is not so easy to say. The vote of the State in the presidential election of 1860, was almost divided between the Bell and Everett ticket and the Breckenridge and Lane, in favor of the latter. Douglass polled some 5,500 votes, and Lincoln only some 2,000. Without presuming to enter into the history of those troublous times, suffice it to say that the Union party,[1] backed by the federal government, held control of the State until 1867, when—with the safety of the Union ensured, with the more lenient use of the "iron-clad" test oaths, and with the growing division in the old Union party over the plans of reconstruction—the conservative, or democratic, party quietly took possession.

In 1860, there were 87,000 slaves in Maryland, and almost as many free blacks. The losses from, and the excitement over, the escape of slaves from a border state, had been con-

[1] When the Union party is spoken of, reference is made to the supporters of the government during the war, not to the Bell and Everett party, which died in 1860.

siderable; and the large number of free blacks—larger than that of any other state—had for years been a source of grievance to the slave-holders of the lower counties. To the Union or war party, slavery was a very delicate question. For instance, Mr. Lincoln's post-master in one of the most important places in the State, was a slave-holder. Governor Bradford, the war governor—who had been himself a slave-holder—when assured of the unjust imprisonment of a free black, sentenced before the war for having in his cabin a copy of Uncle Tom's Cabin, felt justified in giving only a pardon conditioned on emigration, so strong was public opinion. The assembly of 1861–2, while severe in its blame of "the seditious and unlawful acts" of the states in rebellion, yet dreaded as "unwise and mischievous" any interference by the government with the institution of slavery in the South. The preservation of the Union was one thing, the abolition of slavery, even, was another.

Slavery in Maryland was not touched by Mr. Lincoln's emancipation proclamation. In 1864, a convention was held, to form a new State constitution, to supplant that of 1851. A considerable majority of delegates were firmly resolved on abolition. The question was discussed, at length and warmly, pro and con. The old Bible arguments were brought up. The economic condition of the white counties was compared favorably to that of the black—for the Western counties, like those of Virginia, had very few slaves. Stress was laid on the encouragement that would be given the Union cause by the breaking of the most powerful link that had held Southern Maryland largely to confederate interests. Some delegates looked on slavery as already dead; others feared the result of immediate and unconditional emancipation; others branded the old institution as immoral and accursed. Finally, a clause for immediate abolition, unconditioned, was put in the declaration of rights, by a vote of two to one. Then the constitution went before the people. In addition to abolition, it provided, for use in all elections, the strictest test oaths against any sym-

pathy with the Southern cause, and called for true allegiance, not only to the United States Constitution, but to the United States government. In the election of 1860, over 90,000 ballots had been cast; the whole vote on this constitution was 60,000. It was defeated at the polls by 2,000 votes, and was saved only by a majority of 375, counting in the vote of the soldiers from Maryland in the Union camps, which was taken under a provision of the constitution itself. Only those voted at the polls who stood the "iron-clad" test oath.[1]

During these years of state control by the Union party, very few changes were made in the "black" laws in the code. The immigration of free blacks into Maryland was still forbidden until 1865, though, in 1862, the penalty on the black who could not pay the fine inflicted for immigration, was changed from sale as a slave to any highest bidder to sale for not over two years in the State. In 1862, the punishment of blacks for crimes not capital, was so changed that slaves could be imprisoned instead of sold or whipped, and that free blacks could be whipped or imprisoned instead of sold. And the governor was also authorized, if he saw fit, to commute any sentences already given of sale without the State, to the punishment of the new law, which left the place of sale, in all cases, to the discretion of the court. All free black convicts, on release from the penitentiary, were still banished from the State, under penalty of sale for a term as long as they had been imprisoned. It is interesting to note that, in the constitutional convention of 1864, a motion to provide for the liberation of all persons imprisoned under laws arising exclusively from the institution of slavery, was lost by a tie vote. Indeed, the majority of the convention, while firm for abolition, saw plainly that public sentiment, even of the

[1] The soldier vote was 2,633 for, and 263 against, the adoption of the constitution. State compensation to slave-holders was voted down in the convention by 38 to 13. It was hoped for some time that the federal government would do something in the way of recompense for abolition.

Union supporters, was hardly keeping pace with them. The committee on education, so it was plainly stated, had not prepared any provision for a system of education for the colored population, believing that the people were not yet ready for such a step.[1] The assembly of 1865 wiped away much of the useless slave code, including certain restrictions on the free blacks which had been incident, largely, to the presence of slavery,—such as the need of a permit to keep a gun, or to purchase powder and shot, or to sell bacon, corn, tobacco, &c., the regulation of public meetings, and the prohibition to navigate a vessel. Most of all, the law against immigration of free blacks was repealed.

By 1866, the position of parties was changing. The issue of union or disunion was a thing of the past. The radical wing of the old Union party became a minority, as the republican party of Maryland; while the conservatives and all those who again became voters, on a lenient use of the old war test oaths, with those who came from the South, took control of the State. In the presidential election of 1868, some 93,000 votes were polled, of which over two-thirds were for Seymour and Blair.

We shall look with interest to see what was then the attitude to the freedmen of the great majority of the white people of Maryland, those who, since 1866, have controlled the State, through the democratic party. The assembly which met early in 1867, repealed, together with some old parts of the code, the act of 1862 on crimes, which provided for the blacks punishments different from those given whites. While other portions of the code—obsolete from the fall of slavery—were wiped away, at the recommendation of the house committee on judiciary procedure, there was removed entirely

[1] The following assembly, as we shall see, in an elaborate act for a public school system, offering a free education to all "white" youth, provided that the amount of school taxes paid by colored people should be used for colored schools.

the prohibition of marriage between a negro and a white, though there was left the old penalty of a hundred dollars from any clergyman who should marry such. Marriages previously made between colored persons were declared valid, if established by sufficient proof before a magistrate, and for the future the usual forms of marriage were prescribed for colored persons. There was left, also, the punishment for spreading incendiary matter among the colored population. An attempt was made to change the bastardy law so as to make a white and black father equally responsible before the law, and to make a colored woman a competent witness against a white father, but it received few votes. The assembly of 1864 had modified the law of evidence, but had left unchanged the old provision that the testimony of a colored person would not be received in a case in which a white person was concerned. Now, too, the judiciary committee reported unfavorably on any change in this, and the house of delegates sustained them by a vote of 36 to 15.

Shortly after this session of assembly, a new convention met at Annapolis, to frame another state constitution. No one could deny that it was an able body, representative of the majority of voters. The constitution, which was adopted by a popular vote of some 47,000 to 23,000, did not declare as did that of 1864, that all men were "created equally free"; nor did it, in declaring the Constitution, and laws of the United States in pursuance thereof, the supreme law of the land, call for oaths of allegiance to the federal "government." Slavery was not to be reëstablished, but, as it had been abolished in accord with federal policy, compensation from the United States, in return, was due those who had suffered. The constitution, as a whole, was a reaction from its predecessor. When being considered in convention, a motion to add, that no person should be incompetent as a witness on account of race or color unless thereafter so declared by act of assembly, was carried by a vote of 60 to 41. Thus this radical discrimination was done away—for, though the convention refused by

a large majority to strike out the proviso in the clause, there is little possibility of any legislative action thereon.

Thus some important steps were taken, but not enough to reach the point, to which a member of the house judiciary committee of 1867 urged his fellow delegates, where all laws contrary to the changed conditions of things should be done away, and the same justice meted out to each and all. There still remained considerable discrimination in the law. Thenceforth, there was little action touching the colored people, in the halls of assembly at Annapolis.

Meanwhile the proposed fourteenth amendment to the Constitution of the United States, had gone before the country. The joint committee on federal relations of the assembly of 1867 reported that the measure, as coming from a congress from which the members from eleven states were forcibly and illegally excluded, was not proposed in a constitutional manner, and so should not be ratified. Besides this, they stated, Maryland could not be expected to throw away any claim for recompense for liberated slaves, nor to agree to a plan to force the Southern states to give the suffrage to the colored people or else to lose a large part of their representation.[1] This was the pith, only, of the report of the committee, for it went at length, to justify its actions, into a discussion of the constitutional questions of the past years. Rawle on the Constitution was quoted, and the under-tone of the report was an arraignment, in plain but measured words, of the party which had directed the government since 1860. Following the fourteenth amendment, came the introduction of the colored men to politics, and the fifteenth amendment. The idea was current, that suffrage was to be extended not from the fitness of the blacks to wield it at once, but in order to perpetuate the rule of the republican party,—an act of political prejudice rather than of statesmanlike wisdom. Some thought it a measure merely to punish the Southern people for not having thrown

[1] House Journal and Doc., 1867, M. M.

aside at once the feelings which would naturally survive a lost cause, lost property and an upheaval of society. Whether these ideas were right or wrong need not here be discussed, for their influence on public opinion was equally potent. The assembly of 1870, like its predecessor, was wholly conservative, and its action may be anticipated. When the ratification of the fifteenth amendment was brought up in the house, the seventy-five members voting said—no. When a bill for the incorporation of Chestertown, allowing white voters only, which had already passed the assembly, was soon after vetoed by Gov. Bowie, in respect to the fifteenth amendment—which had since become the supreme law of the land—no fewer than sixteen members of the house indulged in a vain effort to pass the bill over the veto.

It is impossible to tell to-day, in how far this public sentiment of the representative party of Maryland was the result of the attitude of the republican party in the State. But that public sentiment cannot be too carefully weighed before proceeding to a study in detail of the progress of the colored people. Laws without public sentiment to enforce them, in spirit as in letter, are of doubtful worth in a community. In this case, public feeling was not merely indifferent, it was hostile, to the effort to legislate civil and political equality into the recently emancipated race.

The radical wing of the unconditional Union party, in convention in Baltimore, in 1866, pledged itself to the maintenance of the constitution of 1864, "which expressly and emphatically prohibits both rebel suffrage and negro suffrage." The question of negro suffrage, resolved the convention, is not an issue in Maryland, but is raised by the enemies of the Union party, for the purpose of dividing and distracting it. A leading article in the Baltimore republican organ called this matter of negro suffrage "The conservative Bugaboo."[1]

[1] See Baltimore *American* for June 5-6, Aug., 1866.

In striking contrast with this, was the republican state convention held in the following year—one year before the fourteenth amendment to the Constitution, and nearly three years before the fifteenth amendment, became the law of the land, but while the conservative party, now in majority, was framing a new state constitution. This convention truly marked, as its organ, the *American* said, "a new era in the political history of Maryland." Of the 200 delegates from Baltimore city, sixty-eight were colored men, and there were as many more colored men from the counties. The delegations varied, some six counties sending all whites, apparently. Proceedings began with prayer by a colored clergyman. The presiding officer, a prominent republican, afterwards high in office at Washington, called for the passage of the Sumner bill, and desired the people to understand, and especially the colored people, whose battles they had been fighting, that remembrance and appreciation of the past should be shown by conduct at the ballot-box. In reply, a colored veteran said there was no need to tell his people how to vote. "We have not," he said, "the ability among us to occupy high positions of honor, we are like a new-born babe, taking our first steps to political life and strength, supported by the radical party." Another prominent leader said, "it is because we are a minority of the voting population of Maryland that the necessity has forced upon us of casting around to see by what means we can extricate ourselves from our present position;" and another still, "whenever we can get the suffrage of the colored man, I am satisfied there is no man that can ever betray us again." The resolutions of the convention called for the equality of all American citizens in all civil and political rights, and urged the republican party, as a last resort, should the coming conservative constitution not give impartial suffrage, to appeal to congress for support. One colored delegate, a member of the committee on resolutions, rejoiced to see a day of real political equality between whites and blacks; another said that he was ready, like Simeon

of old, to depart in peace, now that he had seen salvation. The republican state central committee was increased by five from Baltimore and two from each county, in order to have colored men on it; and the convention closed with prayer by a colored clergyman.[1]

All efforts of the republicans were futile, however, to prevent the adoption of the conservative constitution, a few months later. The following Spring, of 1868, saw a division in the party ranks, over the wisdom of urging in every way, as a national policy, the extension of the suffrage. This question was then threatening to wreck republican supremacy in several large Northern states. The Maryland convention declared itself firm in devotion to justice and impartiality of the suffrage, but voted that their delegates to Chicago should not recommend it as a plank in the party platform. This convention apparently had few, if any colored members. A bolters' convention met soon after, about a half of the delegates being colored; but a number of counties were not represented. The president said, we intend to make the negro an active member, in politics, not to insult him by making him a consulting member. The other wing of the party, said one colored man, would go for negro suffrage, if convenient. The committee on resolutions, as announced, was of whites, but two colored men were added, by special resolution, and several colored men were put on the Chicago delegation, one as a delegate, the others as alternates. This split in the ranks was afterwards closed, and before the suffrage was given the blacks by the fifteenth amendment, March, 1870, some white and colored republicans had joined in a grand ratification meeting, for the consolidation of the party throughout the State. The meeting was held in a hall owned by a colored association, and was presided over by the chairman of the colored republican state central committee. Thanks were given the republican state committee for taking in a fair

[1] May 15, 1867.

representation of the colored voters, as had been requested. The party, said a white leader, has done all it could, here, for the colored people, and this meeting shows that people united, with trifling differences banished.[1]

The votes of colored men were received in Maryland, for the first time since 1810,[2] in several local elections in the Spring of 1870. The first general election was for congressmen, in the Fall. Meantime, the colored people seem to have been interested and active in the exercise of citizenship. In the Fall previous, a large celebration and procession had been held by them, in honor of emancipation. Soon, a young mens' convention was held,—not as large as had been desired, but of some forty delegates,—to further associations throughout the State, for social, moral and political advancement; and fidelity was pledged to the republican party. This interest was not in Baltimore alone—it is said that in one of the county towns, where an old law limited voters of the corporation to real estate owners, a sharp colored citizen recorded the sale of forty-four square inches of land to as many colored men.

It is interesting to note that shortly before the congressional election, the chairman of both the republican and democratic state committees joined in asking the judges of election in Baltimore, that fences might be erected in front of the polling windows, and that the colored voters should approach on one side, the whites on the other, exclusively. This, they said, would conduce to a quiet and honest election. The republican chairman soon withdrew his name, after finding, as he stated, that the plan was opposed by the United States marshal, as drawing a race or color line. There was opposition to it among the judges, also; for as votes were to be taken alternately, and the white voters were many more than the colored, unfairness might result to the whites, especially were the polls crowded

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[1] March, May, 1868; Jan. 13, 1870.

[2] See *The Negro in Maryland*, p. 186.

at the last minutes. The election finally passed off with unusual quiet and good order in Baltimore. The marshal had given notice that no illegal discrimination of voters would be allowed, and his deputies and the police watched the polls without difficulty. The day after, the *American*, the republican organ, said that the fact stood out patent to all that the republican party, even with the addition of the colored vote, was in a minority in the State; that the democrats had carried every county save one, and there the republican leaders had made untiring efforts. The official vote showed, later, that three of the Southern, old slave-holding, tobacco growing counties, beside, had gone republican by very few votes. In 1868, Grant had polled over 38,000 votes, and Seymour over 62,000. Now, the republicans had thrown nearly 58,000, but the democrats nearly 77,000. One Southern county that had given thirty-five votes for Grant now gave nearly 1,600 republican votes; another, over 1,400 in place of thirty-eight; but everywhere the democratic vote was increased, and the majority was 19,000. A leading editorial of the *American* said that no true republican should be disheartened, for the cause of equal rights to all men was just. "The prejudice," it added, "which is entertained against the voting of the colored people contributed more to our defeat than all other causes combined. The negro has proven to be an element of weakness and not of strength, and it will take time to educate the masses up to an appreciation of the justice of his enfranchisement."[1]

In politics there are so many movements whose causes and effects are hard to estimate rightly, so many ways that are dark and tricks that are far from vain, that it will not be wise for the layman to attempt more than a notice of the most significant features in the history of the colored men in politics in Maryland, in the past twenty years. First of all,

[1] Nov. 4–10, 1870. The U. S. marshals then had certain special powers of oversight of elections, by federal law.

we find a strong feeling among the colored people that they have not been sufficiently recognized in politics. There is little similarity, indeed, between the later republican conventions and that first one in 1867 which, as the *American* said, gave promise of a new era to the freedmen. Representation in the party councils was rather the answer to request than a ready proffer. Three years after enfranchisement, the republican state central committee was three-quarters white, only two of the twenty members from Baltimore city being colored; at present, there are a half dozen colored men on the state committee of 117 members, while of the city executive committee of twenty-four, three are colored. Twice at least, one of the sixteen delegates to the national conventions has been a colored man. Of positions in the federal offices in Maryland, from thirty to forty have been held by colored men, a few as inspectors and storekeepers, most as messengers. Two prominent politicians have been special agents in the postal service. If reports be true, there are fewer colored men in the offices here to-day, than there were years ago.[1] At present, the colored voters are a quarter of all on the registers' lists, and a very large part of the republican party.

This has not gone on without complaint and warning from colored leaders. As early as 1869, a delegation called on the newly appointed collector of the port, with the hope that the race would be recognized properly, that the principles of republicanism, so we read, might be no longer a parade of words but of deeds. The chief object of the colored state committee, which lasted for a time, was advancement in political influence. In 1870, this committee asked chiefs of departments in the federal buildings to appoint colored men, in keeping with the progress of the republican party. Not one influential posi-

[1] This may have been affected by civil-service rules. It is interesting to note that in the custom house, under the recent democratic administration, a colored democrat was made a messenger, while two colored republican messengers were retained.

tion, they said, had as yet been given; and they urged some action even as a wise policy, to keep down suspicions of selfishness. They were opposed to the dissolution of the colored committee until they were taken into full political fellowship in the party. As to forming a wing of the republican party by themselves, a black man's party, there has been always a difference of opinion or action among the colored leaders, but the regulars have succeeded in beating the disaffected. Thus, in 1873, a public meeting was held in favor of a separate organization; but a committee of fifty soon called a counter meeting, a band and two political clubs paraded, the meeting was so large that addresses were made without as well as within the halls, prominent leaders said that all men can't have offices, that all colored men were not good men, that thirty-four colored men were then drawing pay at the custom-house, that all this talk of setting themselves up at once, in a hurry, in politics was injuring their cause—and the meeting adopted resolutions of support to the republican principles and party. In 1879, a meeting of colored republicans, attended not largely but by some well known men, declared that the political recognition of their people was annually growing less, that they had allowed themselves to be "pack-mules, sumpters and dromedaries" to the party, and, while forming two-thirds of it, had become mere ciphers. The democrats, they said, give equality of rights to Germans and Irish, and we shall demand the same from republicans. Fidelity was pledged to the republican cause, but measures were urged in order to secure justice.[1]

Some of these movements resulted in securing greater recognition in party work. Thus, in the Fall campaign of '79, delegations of colored men waited on the state executive committee—for some hours, if reports be true—with the request that some of their fellows be put on the campaign committee; and were finally assured that one would be appointed.

[1] Nov. 12, 1879.

Since then, several have been put on the city executive committee. But the leaders as a body grew discouraged at the attitude of the white politicians of the State in the dispensation of patronage. In the Spring of 1881, at the beginning of a new national administration, a convention of colored republicans of the State was held in Baltimore, for the purpose of securing more liberal recognition. There were five delegates from each city ward, and a number from eleven of the counties. A caucus held two days before, had decided to ask President Garfield to appoint two colored men to any two of the thirteen first-class government offices in Baltimore, and to secure a fair representation in the subordinate offices. The convention was not altogether a happy family, a minority desiring to ask the removal from office of all white republicans who actually disregarded the colored men. It was stated that out of $900,000 given in salaries in the State, they got only $13,000; that one high federal officer in Baltimore did not think that colored men had any rights which need be respected, and that another had refused to employ colored men in taking the census. But the majority secured moderate and respectful resolutions, declaring renewed fealty to the old party, and thanking the President for the good words in his inaugural address, but declaring that the distribution of patronage was not in accord with the principles of the party, and that the colored vote was entitled by virtue of numbers and services to a fairer division of it. Shortly after the convention, a committee appointed by it presented to the President an address, of few words and in good taste. After calling attention to the fact that out of 1,300 federal offices in Maryland, only thirty were held by colored men, the chairman said: "We do not censure all; but there are departments of the federal service in our State where colored men are excluded solely on the ground of color, and to our personal knowledge the same positions are filled by colored men both North and South acceptable to all classes of citizens, with honor to their race, and to the interest of the public service." The President

answered that he had no sympathy with the exclusion of men from office on account of color, that qualification should be the test, and promised to examine the papers handed him. There the matter ended.[1]

As to elective offices in the State, colored men have seldom been nominated to them, and nomination, as a rule, has led to defeat. Thus, in 1872, a colored man offered himself as a candidate for congress in the fifth district, which was made up mostly of the "black belt" of Maryland. A circular in his favor demanded one representative for the 40,000 colored votes of the State, and was endorsed by a number of prominent colored men, many of whom were not residents of Maryland. The candidate soon withdrew, however, and a white republican was elected by a majority of over 1,000 votes over his democratic rival. In the local election in Baltimore, in 1885, when the democrats were opposed by a fusion of republicans and independent democrats, two colored republicans ran for the city council in a ward which had over 900 colored voters; but received fifty-seven votes only. In 1886, a well known and well educated colored man was nominated for congress from Baltimore by a meeting of some sixty delegates from the various wards; and he soon after opened his campaign by addressing a meeting of hundreds of his fellow citizens. There were four other candidates in the field, a regular democrat, an independent democrat or fusionist, a white bolter from the republicans, and a prohibitionist. The total vote was over 25,000; of which the democrat got over 14,000, the fusionist over 7,000, the white bolter and prohibitionist over 1,600 each, and the colored republican just twenty-five. In 1888, the colored paper in Baltimore, calling attention to the fact that Annapolis and Cambridge had had a few colored men in their city government, urged the voters in two wards, having large black population, to put forward two representative men for councilmen; but nothing was done.

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[1] March 22, 24, April 2, 1881.

It must be freely stated, in weighing the complaint of the colored leaders, that those very leaders have done much to bring about the comparative failure of the colored people in public life, thus far. It is not surprising that the colored politicians, in Maryland, during the past twenty years, should get the idea that politics exist for private and not for public good. The air has been full of the disease, and it is catching. There are of course many colored men interested and active in politics who are honest and fearless, but the reports that are current among the colored people, and the utterances of some of their best men, notably clergymen, are enough to cause them to look with distrust on those, as a body, who are known as politicians. One of the colored men mentioned in the paragraph above is said to have received a large sum of money for standing as a candidate, in order to divide the republican vote. In 1870, as there was much "crimination and recrimination" between certain colored republicans, which was injuring the united action of the party, the colored state committee asked the aspirants for leadership to settle their personal differences between themselves, ending with the threat that, "In the words of the immortal Andrew Jackson, 'by the Eternal,' we, the colored workingmen, will stump this State in our own interest, if these aspirants do not seal their pledge of consolidation by stopping their recriminations!"

Part of the complaint against the white politicians has been wholly selfish, from those who are outside the public crib and who want to get in. In 1874, a small meeting was held, for association to secure for the colored men a fairer share of political reward. Complaint was made that certain "rings" had controlled matters to their own interest, and the people were called on to strip the false plumes from those men who strut about boasting that they carry this or that ward in their breeches pocket! A few days after, a card appeared in the paper from a prominent politician, stating that twenty-seven

of the thirty-two persons at this meeting were disappointed applicants for offices, who would be thankful for anything, and some of whom had recently been the hired servants of the democrats! Such facts as these show one good reason why many movements for the benefit of their race have been hindered, if not prevented, by a lack of unity, of confidence, among colored men. "There has been a class of negro leaders in Baltimore," says a prominent colored pastor, "who have time and time again sold out the interests of their people for whatever sum they could get." "Politicians," said a leading colored lawyer, in an address to a large gathering of his race, "have betrayed the people and bartered away our birthright and lawful heritages."

For years the colored men voted almost without exception for the republican party. Occasionally, some of them did not vote at all, when the henchmen of the democratic bosses, as notably in 1875, played with them what have been called the "playful freaks of freemen's spirits"—which, being interpreted, means bullets and black eyes. Omissions or discrepancies on the registration books or poll lists have also thrown out many a colored vote. In 1879, a large meeting of colored men claimed that several thousand of their people had been wrongly turned away from the polls by false registration. Of late years, money has been found by the democrats to be a more judicious means of influence than violence. In 1872, one or two colored leaders followed Mr. Sumner, and finally landed in the democratic ranks. One of these was given a position as messenger in the custom-house under the recent democratic administration. A few colored men, notably several prominent clergymen, joined the prohibition party in 1886, mostly from zeal for the cause of temperance, but partly from weariness in waiting for the republicans to support their people in their efforts for the abolition of the "black laws" and for other advantages. The leaders of the prohibition party, then, though with some fear and trembling

evidently, openly advocated these measures in their platform. But the prohibition vote has been very small.[1]

During the last few years, two movements are noticeable among the colored men, one toward indifference to politics and party ends, the other towards independent action, in local elections especially. As to how many colored men have voted the democratic ticket, and as to their reasons for so doing, opinions differ widely. In 1885, in Baltimore, the colored paper which had supported the democratic nominee for mayor, claimed that several thousand votes of the democratic majority had been cast by colored men. On the other hand, an old white republican worker will say that colored democrats are very few, and that most of those are willing to be bought, or wish for some bad reason to keep on the right side of the police. While an equally experienced colored republican estimates the colored democratic vote in 1886, at a thousand. There are some colored men ready to be bought, there are some who vote the democratic ticket because their employers do; but it is also beyond doubt that there is a growing number who will vote in local elections for a man who, democrat or not, has shown an interest in the colored people and a willingness to help them to greater opportunities. The portrait of one ex-mayor of Baltimore, a democrat of democrats, but who bettered the public schools for colored children, hangs in the hall of one of the largest colored societies; and it seems to be agreed by good judges among the colored men that, had he been again a candidate, he would have polled a very large colored vote. In the counties, also, on both the Eastern and Western shores, there have been instances, recently, where colored men refused to follow the old party whips, in sufficient numbers to prevent the election of the republican candidates.

No positions under the city government, which has been democratic for years, have been given to colored men. The

[1] In 1886, it was 7,239 out of some 150,000. The next year, it was 4,414, of 190,000.

colored paper which had worked for the democrats, in 1886, remarked, on finding that the 350 nominations sent in by the new mayor were all whites, that surely one colored man could have been found fit to be at least a lamp-lighter. In matters pertaining to politics, the colored people do not expect consideration from the democratic managers.[1]

The facts that politics have done the colored people more harm than good, and that parties seem to care for them as voters only, are making the intelligent more and more independent of party. With the spread of education and experience, this spirit will grow. Prominent colored men, some who have long been in politics, as well as clergymen, are welcoming it. The day is past, said one clergyman, when my people will jump the fence like a flock of sheep; it would be well if no one knew how they would vote. The black-bird, said another, is no longer to be caught by a little salt sprinkled on its tail. The old state of things cannot last, says a prominent colored lawyer; our universities and colleges are annually sending into the world young colored men "who have declared their emancipation from political serfdom." "There is no more reason," continued the same writer, "for the colored race being a political unit than a religious unit. I hope to see the day when he may feel at home in any political party, when all parties will treat him right and no party oppress him. . . . But the colored man had better drop practical politics for the present, for he gains neither honor nor emoluments. He is wasting time and energy, which, if expended in other directions, would bring education, property, wealth, business and professional success, and these alone can give the race strength and character." The fact is, writes the editor of one of the

[1] One colored man is a bailiff in the city courts; but he was appointed after the reform judge movement in which many republicans and democrats joined. The colored man appointed in the custom-house under Cleveland is, to use his own words, a "particular friend" of an influential party manager.

colored religious papers, the time has come for colored citizens in the South to give more time to cultivating the soil, and to commercial pursuits, and less time to politics. We do not advise them to do less voting, but they should use more care in speech-making, and change their policy of voting, when they can do so to advantage at local elections. And the present colored daily paper, after stating, recently, a report that some republican politicians were trying to prevent the appointment to a modest office of an old colored republican leader, and that the republican congressmen were working for certain white men for the place, says: "To sum up the whole matter, it would yield far more to colored men to pay less attention to partisan politics, and look out for the substantial and permanent improvement of their material condition." The speakers in these cases are but a few individuals among a large people, it is true; but the significant point is that they are of the best educated and most progressive.[1]

During these years of political experience, since the franchise was suddenly given to the untaught freedman, the colored people of Maryland have been quietly doing much in laying a foundation, surer than politics, for future progress and influence.

In 1880, the whites in Maryland numbered nearly 725,000; the blacks over 210,000. During twenty years, the former had increased by considerably over 200,000, the latter by some 40,000. For some years after emancipation there was a marked movement of blacks from the counties to Baltimore and the larger towns. This has been less of late years, but the city, with its large colored population, prosperous colored churches and societies, attractive social life, and the demand for service, has grown in its colored population far out of

[1] The writer doubts if any facts of value as to the colored vote can be deduced from mere registration reports—especially before the appearance of the census of 1890. The Baltimore *Sun* Almanacs contain very full registration and election reports.

proportion to the increase in the counties. There has also been some movement north from Virginia. There were in Baltimore, in 1860, nearly 28,000 blacks, of whom only some 2,000 were slaves. Within a decade, 12,000 were added; in the next decade, 14,000 again. Since 1880, it is estimated that the increase has been some 25,000, making a total colored population in the city of about 77,000. It is not likely that so many colored people will be found, throughout the length of the land, dwelling within such narrow bounds—save in Washington, perhaps, where a study of their progress would not be equally instructive, as the District of Columbia has a peculiarly cosmopolitan society, and is under the control of congress.[1]

The word "blacks" is often used for brevity's sake, nor is the term usually misleading, for a man of fair skin, be it so only that African blood can be at all recognized, is placed by the great majority of whites on the same side of the color line with the darkest of the black. To most of the whites, that ominous line is single and straight. Properly speaking, however, the greater part of the colored people of Maryland are rather fair than dark. Some of them have blood in their veins of which they can think only with mingled feelings of pride and grief.

In most of the larger communities there are certain families who have long been better off and better educated than the rest of their fellows; there are some who have been better known to, and had more to do with, the whites; and there are everywhere the differences in social life and mental attainments which mark any people; but we do not find any extensive and sharply defined feeling of caste among the colored

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[1] In 1880, there were over 59,000 blacks in the District. In the city and neighborhood of Charleston, South Carolina, there is a large colored population, exceeding the whites, and a study of their progress would be invaluable. New Orleans, Richmond, and Memphis, Tenn., would also be interesting fields.

people here.[1] The exceptions are probably the result of social rather than caste feeling, as when a few colored persons objected, at first, to sending their children to the colored public schools. There have been a few cases in which persons very fair have been deemed whites, and so have associated with whites, but they could not then associate with their relatives of colored blood. To hide the drop of African blood is not, probably, in these few cases, to desire to be a snob to one's relatives, but to get the advantages in the community which all respectable whites, but no colored man, can have.

One of the most prominent and experienced colored clergymen of Maryland, whose duties have taken him over the whole State for many years, recently said, when asked if his people had made much progress:—they have made the progress of fifty years in twenty-five. From all parts, indeed, come reports of what individuals have done. For instance, a very intelligent colored school teacher writes from the Eastern Shore that nowhere are the colored people more prosperous and successful than there; and, he adds, they seem to be equally happy and contented. He estimates that nearly two-thirds of them own good land, some as much as one to two hundred acres, and thinks them increasing in importance and respectability as they become real estate owners. In one of the county towns half the population is colored, and these compare favorably, in proportion, with the blacks of Baltimore in intelligence and business enterprise. One man owns a score of houses, and is said to have $50,000 in cash; one of the best, if not the best, of the jewelry stores belongs to another; a third has the best trade in beef, in the town. When one colored citizen, well known and highly respected, lost money by an unfortunate investment, and was threatened with the loss of his hotel, several wealthy white fellow-citizens came to his rescue, saying, "it will never do for Bill —— to fail!"

[1] As in Charleston, So. Car., for instance.

On every hand are the marks of progress, says this writer, remarkable when considering the position of the blacks twenty-five years ago. So, on the Western Shore and throughout the State there are noteworthy examples of what industrious and intelligent colored men can do and are doing. In no case, it is believed, will such men meet with anything but sympathy and encouragement in their material progress from the good white citizens about them.[1]

It is a pity that there are no data for a reasonably accurate estimate of the increase in wealth of the colored people of Baltimore. A clergyman of long experience in the State, made careful inquiry, and estimated the wealth of the colored people of the State in 1885, to be about $2,250,000, exclusive of houses, furniture and the property of societies. One of the most prominent colored editors of Baltimore, who has considered the matter, reports that the present aggregate wealth of his people in the city is from three to four millions. And he cited twenty individuals who represent, probably, a half million. One was thought to be worth $75,000; another, $60,000; another, $50,000; three others, $30,000 each; four, again, $25,000 each; and the others varying from $15,000 to $8,000. Many more might have been named, and the figures given were below what common report frequently gave. The biography of some of these men would be more interesting than instructive here, for no rational being can question the energy and capacity which many individual colored men have shown. The best known caterers of Baltimore are colored,

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[1] One colored dealer and shipper of produce, in an eastern county, is said to have netted $1,600, on strawberries alone, in one year. Others have extensive canning houses. There are several coasting and oyster vessels on the Bay owned by colored men.

It is interesting to note that a delegation of some forty colored oystermen of Southern Maryland have taken steps to make claims against the government for their boats, which were destroyed by the government during the search for Wilkes Booth, in 1865, and which they estimate as representing a capital of $10,000.

and there are several provision and produce stores, well patronized by whites. The greater number of stores, however, are small, and deal mostly with the colored people and the poorer whites. In these are sold china and glass-ware, groceries, produce, oysters, "notions," &c., as the case may be. Several colored persons have, for years, had stalls in the markets; one butcher has a slaughter-house and does his own killing. There are several dealers in coal. At least one shoemaker is well known, and has had good patronage for many years. Most of the "jobbing" and independent trucking is by colored men, who own from one to fourteen wagons. There is constant activity in this small express business and in furniture moving: one man, for instance, who began with one wagon, three years ago, has now six "teams"—and has bought three fair houses, besides. The junk business—which, before the war, was the work of Jews—is now mostly done by blacks, though the great majority, probably, have little capital in trade beside a hand-cart or a bag over the shoulder. In such ways as these, by day labor and, to a certain extent, by skilled labor, the colored man who is provident is laying aside money.

It is, unhappily, to a limited extent only that the colored people can work at skilled labor. Before the war, the circumstances in Baltimore were more like those in the more Southern states, to-day. Certain work was done mostly, if not wholly, by blacks. Thus, they made bricks in Summer and "shucked" oysters in Winter; as stevedores, they loaded and unloaded the ships; they had a monopoly of the ship-caulking. Some of the richest colored men in Baltimore began life, in the old days, as caulkers or stevedores. In the counties especially, some of them were made carpenters and blacksmiths. But foreign labor came in, especially after the war. German women could shuck oysters cheaper than colored men; the work of making bricks, of caulking and loading ships, became more and more divided between whites and blacks. Now,

the whites are, with a few exceptions, the skilled workmen, the artisans, of the community.

There are some colored messengers in offices, and there are many porters. Occasionally, the duties of these may become that of a shipping clerk; but it is doubtful if colored clerks can be seen outside of colored stores. There are several colored printers; there are one or two manufacturers of hair work and dressmakers' trimmings, but their work is so small that they teach the trades to a very few only. There are a very few painters and carpenters, but their work has to be mostly jobbing, especially among their own people, for the iron-clad rules of the trade-unions shut out those who, for one reason or another, are not union men. In only such branches as "hod-carrying," brick-making and caulking, do the colored men have influence.

For ten years or more, the hod-carriers' union has been strong and beneficial. Of this work, of handling bricks and mortar, the colored men have here a perfect monopoly. In the rhyme with which all New England boys are so familiar, "Paddy, be quick,—more mortar, more brick!" Sambo would here have to be substituted for Paddy. Begun with some thirty members—on the basis of a smaller union previously disbanded—the union now has eight hundred names on the rolls, most of whom, in times of work, will have paid all dues and therefore be beneficial members and in good standing. A union price for labor is fixed, and membership is refused to those who would work for less; while members will not work with any hod-carriers without the union. The beneficial side, which is as successful as the protective, is managed from monthly dues of fifty cents, and assessments on the death of members. While a member in good standing is ill, he receives $4 a week; should he die, $75 is given as a burial due. $25 is given on the death of a member's wife, and $15 on the death of a child. Recently, $1,500 has been divided as dividends among the members, and some $3,500 cancelled from

back dues, and there is a cash balance in the bank of over $4,000.[1]

The caulkers were all colored until shortly before the war. Then, when the white caulkers grew to be a considerable number, there was trouble between the whites and blacks, resulting in rioting, and the latter were driven off to their own resources. After an interval of many years, they came together in the Knights of Labor, for mutual protection against a reduction in wages by the employers. Soon they drew out, some four years ago, and formed together the caulkers' protective union. This is based on strictly protective principles, all caulkers being of necessity union men, and those coming from elsewhere pay an increased admission due, amounting to $50, if from abroad. The beneficial features are a burial payment of $50, for a member, and of $20 for a member's wife; and $4 a week while ill, if injured in the course of work. The dues, for this, amount to $3 a year. The present membership is somewhat under two hundred.

The history of the brick-makers—workmen in the brick yards—was somewhat like that of the caulkers, in that the majority of them, who were blacks, took measures, soon after the war, to protect themselves against a reduction of wages. Several times, too, efforts were made to keep up a protective union among all the brick-workers. Finally, five years ago, a colored man and one or two white fellow-workmen, lying on the grass in idleness near their old yard, planned the brick-makers' protective union, which has since continued, and has kept reasonable wages. The beneficial dues are $3.00 a year, in return for which, in addition to the mere benefit of membership, a funeral payment of $56 is given, on a member's death. The membership soon grew to be three thousand or more. The oyster "shuckers," to a large extent the same men who made bricks in summer, also several times, and to

[1] On a hod-carriers' picnic to Washington, in 1887, some 500 men and 200 women and children turned out.

large numbers also, banded together for protection; but they have not kept up any permament organization. One movement, toward the close of the war, was successful in raising the price of work from a low figure to which it had fallen.

The interesting feature of these protective unions, is the association together, perfectly naturally, of white and black fellow-laborers, for their common good. On the one hand, we find the hod-carriers with a half dozen white members with the colored members, several hundred strong. Of the caulkers, rather more than half are white; of the brick-makers, over two-thirds are white. On the other hand, the three or four colored ship-carpenters in Baltimore belonged for a time to the ship-carpenters' union, and left for no reason touching color or race. The caulkers and brick-makers meet regularly together, as members of the same branches, and the officers may be black or white. If a white president presides, a colored secretary records. And when there have been parades of labor organizations, these bodies in which white and blacks are united, were represented without distinction. Were there enough good colored artisans, as carpenters and painters, &c., to raise the question of their admission into the various trades unions, it is certain that there would be complaint and remonstrance; but were the number of them sufficient to endanger prices, there would probably be unions resulting, for the common good of fellow workmen.

Curious results frequently occur from motives of self-interest and race discrimination. Many colored barbers must turn away colored men from their chairs, for good white custom would otherwise be lost. When a very respectable colored man asked for a glass of lemonade, one hot Summer day, from a little stand in a down-town street, the dark proprietor hesitated; then said, "I know you don't want to injure my business;" and finally flatly refused to sell. In the office of a Baltimore colored newspaper, managed entirely by colored men, several white compositors were recently employed; but these stopped work at once when a colored printer was engaged.

When the Chesapeake Marine Railway was entirely owned and managed by the colored people, some years ago, several white carpenters worked in the yard, drawing their pay from colored hands.

Much has been said in excellent editorials and communications, in the colored papers of Baltimore, to incite the colored people to greater business activity and to earnest efforts to open the higher trades and occupations to their race. The need of manual, industrial training has been felt keenly by some, who see so many of the youth growing up to citizenship on the street corner, under the scant schooling of "odd jobs." So far, the public authorities have not been far-sighted enough to open manual training to the blacks; though the house of refuge for colored boys and the home at Melvale for colored girls—the result very largely of the labor of a few whites friendly to the advance of the freedmen and of society at large —have been good examples. In 1886, a number of well known colored men planned the organization of a mechanical and industrial school for colored boys and girls. A large and representative board of officers was chosen, the school was incorporated in 1887, and meetings were held to arouse general interest. Thirty-six colored clergymen endorsed the work, and an appeal for aid was made to some prominent whites. In response, about $125 was subscribed by a few friendly white citizens, and over $550 by the colored people—mostly in dollar contributions. About $234 was paid in, but popular interest in the work was not sufficient to make it a success—although the plan of the managers was to raise a moderate sum only, two or three thousand dollars, and then to ask for an appropriation from the authorities. The colored papers urged their readers to respond. One suggested the issue of stock in small shares. Another calculated that $10,000 would put the school in operation successfully, and that a goodly sum could be gotten from the State and from friendly citizens, if the colored people raised half or more of the required amount. Is there not enough race pride, race ambition, said

the editor, to bring forward 200 boys to pay a tuition of $10 apiece, to raise contributions of $30 in each of the thirty colored churches, and of $5 in each of the 500 lodges and socials in the city? There was no response; the promoter of the school is a hard-working man, whose life is spent in his shop; and so the little capital is in the bank, and the work has halted where it was. The Centenary Biblical Institute, a school for colored youth, maintained by the Methodist Episcopal conference, has given some industrial training, especially at its branch in Queen Anne's county.

Early in 1888 was incorporated the Maryland Colored Industrial Fair Association, with a board of twelve directors, well known, representative men. The object of the association is explained in the circular which was then issued:—

Dear Sir:—By reference to the inclosed Circular, you will at once see, that it is the object of the MARYLAND COLORED INDUSTRIAL FAIR ASSOCIATION, to put on Exhibition annually, in the month of October, the products of the skill of the Colored people of the State of Maryland. The advantages to be derived by the race are incalculable:

First. By the means, or agency of this exhibition, we shall be able to demonstrate that the Colored citizen is something more than a "hewer of wood and drawer of water," that he has genius and educated talent, the full development of which, only needs the same advantages and encouragement that is accorded to other races.

Second. That to display this talent and bring it forcibly to the attention of the State, it cannot better be done than in an Exhibition, where each article exhibited is the product of his own brain and hand.

Third. That the Annual Display as proposed by the Association will have a tendency to develop the skill and talent of our men, women and children, the effects of which, will not only add to their own prosperity, and enhance their value as citizens, but must add to the general good of society and the State of which we have the honor to be citizens.

The Board of Directors, therefore, requests that you will co-operate with them, in finding out all men, women and children of genius and enterprise in your locality, or elsewhere in the State, to your knowledge, who may be engaged in Farming, Gardening, Manufacturing, Artistic Work of any kind and Mechanism.

As Colored Maryland Cooks have a fame that is world wide, and the cultivation of this talent is beneficial both to employer and employed, as well as to the comfort and economy of our own homes, it is desirable to make an extensive Annual Exhibit in the Household Department.

As soon as you forward the names and Postoffice address, we will put ourselves in communication with the proposed Exhibitor, and arrange all details.

No application for space in the Exhibition can be received after August 1st, 1888. Your prompt action will therefore, be a necessity, which will be thankfully received and reciprocated.

The time for the fair was fixed for the 1st of October; prominent clergymen endorsed the movement; and an address was sent out to the colored citizens of the State, to refute the common impression in the community that the colored race is a consuming and not a producing one, and to show that that race in Maryland "possess in a very large degree all the elements that go to make the citizen useful." Soon, an auxiliary board was formed by many prominent colored women, to promote the fair. Reports came in that much interest was being roused, throughout the State. The fair was accordingly held, very successfully, the first week in October following. The Monumental Assembly hall was filled, and many articles were refused at the last moment, from lack of room. At the formal opening, the first evening, when over a thousand persons were present, complimentary and encouraging remarks were made by Gov. Jackson and Mayor Latrobe. The chief speaker, a rising young lawyer of Baltimore, said: "we propose to show the people of our city, State and country, that we are a producing as well as a consuming class; that the idlers and vagrants among us are but the cast off clothing of the race."

The regular evening attendence on the fair was estimated at 800; the whole was respectable and orderly. On one day there came excursions from out of town, notably from Belair, Annapolis and Washington, including the Capitol City Guards, and numbering altogether some 2,000. To give the exhibit in detail would be impossible; it included, for example, excellent portraits, crayons, fine needle-work, dress-making, upholstery work, shoe-making, a floral display, some agricultural products, and, notably, the work of the kitchen,—breads, cakes, preserves, pickles, wine—for which the colored people of Maryland are famous. From the Cheltenham house of reformation came farm products, shoes, clothing and specimens of penmanship.

The second colored exhibit was held a year later, in connection with the Pimlico exhibition, the management of which facilitated in every way a worthy representation of the work of the colored citizens. The exhibit consisted of some 250 articles, occupying a space over seventy feet long and nine feet wide. Among the articles were a hand-made cabinet, upholstery work, horse-shoes, fancy bricks, paintings, drawings, needle-work,—kitchen-work, &c. The Cheltenham reformatory and the girls' industrial home sent excellent work. The articles from the Maryland schools for blind and deaf mutes, included hand-made mattresses, chair-seats, needle-work, shoes, drawing, penmanship.

Already, between the first and second exhibits, a number of prominent colored business men had formed a permanent organization, the "Colored Business Men's Association of Baltimore," to further the business progress of their people by organization and intelligent discussion. The plan was to open rooms in some central locality, where members of the various trades would meet and report all matters of interest; but as yet no active work has been done.[1]

[1] These various movements have been due largely to one man, intelligent and active, who has been for many years a business and political leader.

There are several things which have hindered much, any organized trade or business efforts on the part of the colored people of Baltimore. Indifference and lack of public spirit are very noticeable—but these traits are limited by no sharp race line. The colored people, more than the whites, are jealous of one another. This feature has been often mentioned by their writers, and ascribed by them largely to the influence of slavery. However that may be,—it is important to note the influence of politics in raising jealousy and distrust among the colored leaders. If the white "carpet-bag" leaders of the South were a curse to their associates, surely the system of practical politics, as it has been carried on in Maryland, is a bad school for the colored voters. The ambitious colored leader is very liable to have his movements and motives mistrusted. This mistrust may be right or wrong, in individual cases; but the colored people know well that the ballot-box as a rule is surrounded by those who buy and sell. More potent still than any jealousy and distrust against the political leaders, is the fact that a number of colored men's enterprises have been failures, or, if partially successful, have not fulfilled the reasonable expectations of the people. When one of the wealthiest colored merchants in town was approached, three years ago, by an earnest advocate for a business association, the answer was, that he looked upon any such organization with discredit, that he had been the victim of many swindles and misappropriations; and he censured the management of several corporations in which he had lost nearly a thousand dollars.

Soon after the war there was a brick-makers' strike, and the colored brick-makers, in order to maintain good wages, undertook the control of a brick-yard. All the bricks that they could make were sold, and the effort of the employers to cut wages was frustrated, but the yard had to be given up. Good bricks and good bargains were made, but were not followed up in a business-like way. At about the same time came the great strike against the colored caulkers and "'long-

shoremen," in which a thousand were finally forced from work. Thereupon, by a great effort, $10,000 was raised in ready money, within four months, by the colored people alone. Much of it was the result of small and hard-earned savings. With this partial payment, a ship-yard and marine railway was secured, and several hundred colored caulkers were soon busily at work. Money was made, and the remaining capital, $30,000, was quickly paid, together with one or two dividends. Afterwards, the shipping interests went down, as throughout the land; but many of the older colored men will tell, to-day, of their surprise on finding that the ship-yard, instead of being purchased in fee, had only been leased for twenty years, at the end of which time it passed back to its owner's hands, leaving nothing in their hands. Whether rightly or not, there has been much dissatisfaction, and the ship-yard, the first and greatest enterprise of the colored people here, has probably therefore done more harm than good. Again, the failure of the Freedmen's Bank was a serious blow to the rapidly progressing colored people. For instance, one of the colored building associations lost nearly $1,000 by it; and one individual lost $1,200, the savings from his barber-shop —and, if report be true, lost his health besides by his misfortune. Later still, the management of a piece of property bought by colored subscribers, for some $20,000, for a meeting place for the colored societies, military companies, &c., has been considerably blamed. For one reason or another, the project failed.

It is no wonder, then, that people hesitate to promise support to many applicants,—as, for instance, to the man who tried, a year or two ago, to get up a steamboat and commercial company of colored men, for boats on the Bay. On the other hand, because the colored people have learned a few business lessons by a harsh experience, there is no ground for discouragement.[1] If the lessons be taken aright, the experi-

[1] One of the best colored lawyers here, said, in an address to a large meeting of his people, in 1888: "When a new enterprise is proposed among

ence will do more good than harm. And the money which the prosperous ones have been quietly putting into their own business or the old, trusted banks, or into real estate, will not have been unwisely placed.

It has been said that in no city are there so many colored house-holders as in Baltimore. Many of the wealthy colored men have invested largely in houses—in a few cases, a whole row is owned by one man. The extent of the town, the number of alleys, and the great number of small houses, of two stories only, facilitate this—for one must not suppose that the seventy-five houses said to be owned by one colored citizen of Annapolis, for instance, are all expensive buildings or on valuable ground. A few colored men may belong to building or loan associations of whites, but there have been several such associations exclusively of their own people. Thus, some of them without capital were helped to get homes, and some with capital were helped to increase it. One association, begun in 1867, in South Baltimore, handled some $12,000 to $15,000. When this was closed, in six or seven years, another was formed by very much the same management, and so another in 1881, and another in 1886; but these have hardly had as much capital as the first. The membership has never been very large. The par value of a share was $125, the issue of shares was limited to 1,000, and, in the first organization, no member could hold over twenty. On every share taken, the borrower paid a dollar a month, and interest, and the association was closed when each member had received back from the treasury the value of each share he might hold. Another series of associations, organized in East Baltimore in 1868, had about a hundred members and probably facilitated the purchase of forty or fifty houses. In both cases the members have been mostly poor men. These associations

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colored people, they are prone to call up the ghosts of similar projects, or even entirely different undertakings, which have failed. This is babyish and unworthy of a manly vigor."

are well spoken of, and have no doubt done good; but little has been done in this way by the colored people in proportion to the work among the German residents of Baltimore. One would not compare them, for the opportunities of the latter have been infinitely greater; but the diligence and economy of the Germans, in this and many other ways, may well be offered as a stimulating example. It is said that it was not easy for colored men, until recently, to secure houses in reasonably good localities. A recent mayor of Baltimore has stated—and the statement appeared in print—that in his experience the colored people have proved themselves good tenants.

Intelligent colored men have complained that, setting individuals aside, their people as a whole are poor. A prominent clergyman of Baltimore, who is familiar with the counties, stated in a sermon, the result of a painstaking investigation into the amount of property held by the 210,000 colored people of Maryland in 1885—that all the wealth of any amount was held by less than 2,000 individuals. I presume, he added, there are 205,000 who own nothing. Yet he estimated that the net balance of the earnings by moderate daily wages of those who were able to work, after deducting not only necessary but very unnecessary expenses, should be over $1,000,000 a year. The annual wages should be over $38,000,000. If the necessary expenses are 85 per cent., there would be a balance of nearly $6,000,000. But the unnecessary expenses take nearly all of this—for drinks, $2,000,000; tobacco and snuff, $1,000,000; excursions, picnics, camp-meetings, &c., $245,000; and $1,500,000 for incidentals. This estimate may not be correct, but the figures are interesting, as showing the large amount which an intelligent man of experience thinks is spent by the mass of his people for idle purposes, and which ought to be turned to the benefit of individuals and of the race. That a large part of the colored race live from day to day, without saving, is certainly true. But that they have done so, is surely not very remarkable, considering the few generations that separate the colored blood from

the life of Africa, the total irresponsibility of the life of slavery, the sudden manner of emancipation, and the beguiling influences of social life, which, as we shall see, has been highly developed in the larger communities.

Baltimore is called by the colored people themselves, the grave-yard for colored newspapers. Within the last twenty-three years, there have been over a dozen secular papers, mostly weeklies. None of them have lived long—a few months has been the usual time. The editor of one, writing in 1885, said that nine papers had already died, and that it was said that one could not succeed. The reason for it, he gave, was that the publishers never had much money, without which pluck and brains were of little use; that wealthy colored men did not, as a rule, subscribe or advertise; that the subscribers often delayed to pay, and often did not pay at all. The reason for the failure of all these papers is very obviously the failure of the colored people to be interested enough to take them. The highest number of subscribers for which recent papers have appealed has been 10,000; the highest number reached has not, probably, been half that; yet the colored population of the city alone has been 60,000 to 75,000. As a rule, these papers have been well worthy of patronage. The editorials are often admirable. But the field of such papers is necessarily limited largely to the interests of the colored race, for they cannot compete for general and telegraphic news with the large, well supported city dailies. From week to week, there is often little to record of special note; and in several cases, there has been much repetition of editorials and other matter. Another probable reason for some of the lack of public support, is that editorial jealousy and tendency to personality has occasionally appeared. It is surely not elevating, and, after a time, not interesting, to hear that a contemporary, "a brilliant quill-driver," "takes the cake and several plates of cream" for "downright mendacity, pusillanimity and sublime egotism," nor to hear another fellow editor called a "thin and emaciated wind-shoveler." Again, some of these

papers have been wrecked in politics. One, for instance, spoke bravely for the republican party until within a few days of election, when it announced that, after mature deliberation, it found the prohibition party to be the only one that recognized the negro as a citizen and a man; was sorry it had not changed before; and could not further "stultify" its manhood by supporting the republican candidate. Another paper became practically an out-and-out democratic paper; thus losing, of course, the confidence of the mass of the colored people. According to one very intelligent colored writer, it died "a stench to decent-thinking people."

Some prominent colored men have said much for the establishment and support of good colored papers, as a mark of race power and progress, and as a means of manual and intellectual training for colored youth. Several religious or denominational papers have been for some years successfully published by colored men in Baltimore; but they do not appear often, and are given largely to household reading. In conclusion,—while the colored editors have, as a rule, deserved great credit and greater patronage, it must be remembered that they cannot compete with the white papers in the giving of news. The press of to-day is a great public educator; and it may not be a mark of lack of progress that the colored man prefers to give his pennies, in so far as he will read any paper, for that which the white man next him is reading, which tells best what is going on.[1]

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[1] A colored paper published, in 1885, a catechism, between the editor and a youth:

Editor.—"What paper publishes our news in full?" *Youth.*—"The Director."

E.—"That's right. By whom is it published?" *Y.*—"By black men."

E.—"Right, my boy. Who set the type?" *Y.*—"Black boys."

E.—"How perfect you are. Who should support it?" *Y.*—"The colored people."

E.—"What does their support guarantee?" *Y.*—"Work for our boys and girls."

The growth in religious work among the colored people of Baltimore has been remarkable, and shows what that people will do in work and give in money, when their interests are aroused. Thus, the African Methodist Episcopal church, with nearly 4,200 full members and some 500 probationers, has nine societies with church property valued at over $200,000. Four of these have over $20,000; one of them, $75,000. Again, the Methodist Episcopal church, with over 6,000 full members and nearly 800 probationers, has eight societies with property worth some $275,000, one society having $68,000 and another $91,000. Many of these societies, of both churches, own parsonages beside. In some cases there are debts on the church buildings, but the prosperous colored societies seem to have little trouble in paying them off. The Methodist churches have long been influential among the colored people, and have large membership throughout the State. Some of the Methodist Episcopal societies had white pastors, a generation ago. One of these, which had 648 members and property amounting to $8,000 in 1865, had grown to 1,000 members in 1886, with property worth $40,000, including a large cemetery. More interesting than these older churches is the recent growth of the Baptist church. In 1870, there were two societies in Baltimore, one being very small. Soon, a vigorous pastor began the building up of this small society, in a central part of the city. The numbers increased, the work spread, and then a Sunday school and mission work were begun in an outlying street. Soon, the mission grew into a separate society, which now numbers 800 members. In 1885, nine members of this society, in turn, pushed further on, and another society has grown up to over 200 members. Mean-

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E.—"What else does it show?" *Y.*—"Appreciation for colored enterprise."

E.—"Have there been any other papers here?" *Y.*—"There have."

E.—"Where are they?" *Y.*—"Dead as Julius Cæsar."

E.—"Who killed them?" *Y.*—"The colored people," &c., &c.

time, the parent church of all had sent forth another band of twenty-seven, which in nine years has become nearly 900 and has paid $10,000 for a church building. And during these eighteen years, the parent church has grown in membership from less than 100 to 2,200, and has a church building worth $30,000 free from debt. Another Baptist society, ten years ago, consisted of ten persons, who met in a room over a carpenter's shop. Now, it numbers 550, and has the finest church building used by the colored people of Baltimore, which cost $35,000. Of this sum all but $3,000 is paid; and all but $1,200 was raised from the colored people. To-day, the Baptists have eight societies in Baltimore, with over 5,700 members. The number of colored Baptists in the counties is very small. The growth of the colored Presbyterians is another interesting example. From some years before the war, there was a mission supported by the First Presbyterian church, but by 1880 it numbered only ninety members. Soon after, it became self-supporting, and now numbers 215; while there are two other societies, partly missionary, one with about seventy-five members, the other with about 125.

While the Baptists and Presbyterians have been thus growing, and while the Roman Catholic and Episcopal churches have increased their work—which is largely missionary—among the colored people, there have been movements towards wholesome changes in the other large colored churches. The value of many of the old features of religious life is more and more called in question. The old-time "shout," the frenzy which fastened upon one who "got religion," are passing away as the old-time plantation has passed away. All the ministers present at a district conference of the African Methodist Episcopal church, in 1887, voted for a resolution, offered by one of the present young clergy of Baltimore, that camp and bush-meetings, as carried on among their people, were not productive of sufficient good to make amends for the evil effects they had on the churches. These views are not yet universal and are held more in city than in county, but the

whole body of the churches must become gradually touched by the leaven of education. The influence of an enlightened and progressive clergy cannot be overestimated. It is interesting to see how such men are the real leaders of the people, in Baltimore. The piety and zeal of the old-time minister is everywhere respected, but the one on whom his mantle falls, who has been well educated and looks to the future rather than from the past, will not be satisfied until his people have all possible opportunities for better living.[1]

One work which the leaders should take up is the vigorous spread of young men's christian association rooms, for reading and profitable enjoyment. One association has held weeks of prayer and special meetings, and there have been a few associations connected with churches or of a private nature. The largest Baptist church has recently formed one of over 100 members, meeting weekly, who have distributed several thousand religious papers. A young pastor of one of the large down-town churches preached on the need of reading and meeting rooms, last year, with no response; but, this year, when he again urged the matter, considerable interest was manifested. The barber shops and favorite street corners will be crowded, of an afternoon, with the young men, many of whom know the day's news and talk it over intelligently.[2]

A few of the older generation of colored men have long been interested in associations for profitable enjoyment of a literary or instructive nature. This interest spread widely, a

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[1] It is interesting to note that the Baptist and Presbyterian colored clergy meet in conference and in preachers' meetings with the white clergy. The work of the Roman Catholic and Episcopal churches here among the colored people has been done by white clergy. There are said to be over 3,000 colored Romanists in Baltimore and a number in Southern Maryland. The work of the Episcopal church has been much advanced by the present bishop of the diocese.

[2] A workingmen's club for young colored men was opened a few years ago, under the lead of an energetic white Episcopal clergyman, but it had not many members and did not survive his departure.

few years ago, until lyceums or "literaries" became fashionable. There were no less than thirteen in Baltimore, and over a half-dozen in the counties, mostly in the large towns. Of those in Baltimore, one or two were private clubs or socials, and two were connected with the Centenary Biblical Institute; the rest were a part of the church work, usually meeting Sunday afternoons in the churches. Early in 1885, a literary convention was held, of seventy-two delegates from nine of the lyceums; and in the Fall following, a permanent literary union was formed, to meet twice a year, for literary exercises, reports of progress, and general encouragement to instructive work. In 1887, several Sunday evening meetings were held by a number of the lyceums, together. But the movement met with considerable opposition, especially from members of the clergy. All approved, of course, any desire for education and improvement, but many held that the lyceums, as conducted, did not lead to those ends, and were at the same time injurious to church work. This opposition was probably least strong in the Methodist Episcopal church, but even there, nearly all the ministers at a local conference of colored clergy, in 1888, agreed that the manner in which the literaries were conducted tended to detract from public worship; and so greater pains were taken to keep away from the Sunday meetings, any irrelevant or irreverent discussions. The result of the experience of the last few years has been, in short, that some of the lyceums have died, and that the surviving ones, as a rule, have been improved. The Literary Union died, also; its death being hastened, possibly, by touches of the spirit of rivalry among leaders and of the deadly influence of politics. At present, there is but one purely literary society connected with the Baptist churches, and that meets during the week; there is one, also meeting during the week, connected with a Presbyterian church; there are Sunday afternoon meetings in five of the Methodist Episcopal churches, held under the auspices of the lyceum of the society, but more or less under the supervision of the pastor; of the African

Methodist Episcopal churches, one or two have week-day meetings, one only has the Sunday afternoon meeting. There is one rather small lyceum at the Biblical Institute. These Sunday meetings are very large, usually, and the exercises—perhaps one should say, because the exercises—are of an entertaining character, often including music, declamations, &c. It is noticeable that the other meetings of the members of the church lyceums, for debates and more purely educational features, are not so frequent or so well attended. In order to unite the best workers in this movement for improvement, there was organized, in 1885, the Monumental Literary and Scientific Association. For a time it met at different churches, but now meets, Tuesday evenings, at the Madison St. Presbyterian church. The actual membership is not large, some sixty or seventy representative men and leaders of the colored people, but the meetings are usually crowded with attentive listeners. The paper or address of the evening is followed by debate. The association is doing a great work.

As education increases, the old "literary," so-called, will give way more and more to such really educational work. Instead of laughing over a paper on the "Death of King Pain by St. Jacob's Oil," or debating "Which is the more attractive, beauty or manners?" or "Whether it was really a whale that swallowed Jonah?" the young men and women are now discussing "The future of our boys and girls," or "What is the cause of the anti-negro spirit in the United States—his color, his past condition or his present condition?" or the merits and demerits of the Morgan emigration bill. The daily paper now published in Baltimore by colored men recently said—and this is a good example of many of the admirable editorials which have been offered the colored people—"The literary associations of this city are doing much toward enlightening the colored youth, but their work should not stop with their weekly meetings for addresses, songs and declamations. They should organize reading rooms, with the best periodicals, newspapers and books, inviting the young

men and women to spend an evening in profitable reading. The colored people of Baltimore ought to open and support at least one large reading room upon the same basis as the Y. M. C. Association. . . . . Until our race learns to use such means to enlighten the masses, the race problem can never be solved." [1]

There is probably no city in the land where there are as many societies among the colored people as in Baltimore. And several of the large societies which have spread far and wide, North and South, had their origin here. Nearly all the societies are beneficial, but they may be divided in general into two classes, those beneficial merely, and those with secret features.

Among the things which the colored people dislike, are very noticeably the public hospital, ante- or post-mortem surgical operations, and burial in potter's field. In order to help one another in sickness and provide for decent burial, from a system of small but regular payments, beneficial societies were formed among little groups of acquaintances or fellow laborers. In Baltimore, they date back to 1820, surely, and were afterwards, in the days of excitement over slavery, specially exempted from the state laws forbidding meetings of colored people. Twenty-five at least had been formed before the war; from 1860–1870, seventeen or more were formed; since 1870 twenty or more have been added, several as late as 1884–5. There are now, thus, between sixty and seventy. The number of members vary from a dozen to over a hundred; often of men and women both, often of a group of women connected with some church or denomination, or of men in some particular work, as barbers or draymen, &c. In 1884, was held a meeting of many connected with these societies, to rouse a more general interest in the work, and very

[1] The Ledger, Feb. 15th, 1890.

interesting reports were presented. Forty of them gave an aggregate membership of over 2,100. The numbers varied from sixteen to 121, but as a rule were from thirty to sixty. In the whole course of their work—and reports were very full —nearly 1,400 members had been buried, over $45,000 having been given for funeral expenses; $125,000 had been given as sick dues; $27,000 had been paid widows by some thirty of the societies; over $10,700 had been given towards house rent; and over $11,300 been paid for incidental expenses. Yet there had been paid back to the members of many of the societies, from unexpended balances, as dividends, a total of over $40,000; and there remained in the banks, to the credit of the societies, over $21,400, and in the treasurers' hands cash balances amounting to some $1,400. Five had small sums invested, besides; and one, the goodly sum of $5,642. The total amount of money handled by all had been nearly $290,000.

These societies vary somewhat in details. The usual fees from members are fifty cents a month; the usual benefits are $4.00 a week for a number of weeks, and then reduced sums, in sickness, and $40.00 for burial. Some pay as long as sickness lasts. Some give widows' dues from special assessments, according to need. One, for example, the Friendly Beneficial Society, organized chiefly by the members of a Baptist church, some fifteen years ago, with the usual fees and benefits, carries a standing fund of about $1,000, and the yearly fees of the members has paid the current expenses of from $300 to $500, and has usually allowed an annual dividend of $5.00 to each. The colored Barbers' Society, over fifty years old, required for membership, originally, an experience of three years as apprentice, but now, of two years as apprentice or of three years as a "boss" barber—in addition, always, to good recommendations. The fees and benefits are the usual ones, save that $80 is given at the death of a member, for funeral and other expenses. Attendance at meetings, held quarterly, is required under penalty of a small fine. Dividends have been declared from time to time. Three societies, originally very large, have

been gotten up in the last twenty years by one colored woman, whose name one of them bears. The constitution of one of these, for example, opens with a preamble in which the members agree, "as a band of sisters," to unite for mutual relief in sickness and death. Besides the ordinary officers, there are to be six managers and twelve stewards. The former receive the dues, and visit the sick members within twenty-four hours after receiving notice of illness, see that stewards are appointed for special care of the sick, and make every arrangement for a decent and timely burial of deceased members. Members who are receiving sick benefits must be under the care of a suitable physician, and are entitled to $4.00 a week for eight weeks, and then to $2.00 a week for eight weeks, when further aid rests in the discretion of the society. The dues are fifty-one cents a month; but members must be of good health and morals. A member becomes entitled to benefits after four months of regular payment of dues. The funeral benefit is $40, which is paid the family in all cases, for one might be a member of several societies and the benefit from anyone of them would give a proper burial. At burials, the members are expected, under penalty of fine except when excused, to assemble in regulation dress, of black dress, shawl and gloves, with lead-colored bonnet and trimming, and white cuffs. The society will follow no other in funeral processions. Some of the other societies, as the "Union Star of the Rising Generation," do not compel a general attendance at funerals, a special committee being chosen to represent the society.

A few of these beneficial societies have disbanded, a few have changed to secret societies. Very few of them have been badly managed—although unincorporated and without any public oversight—and everybody seems to speak well of them and of their work. One colored woman, for instance, belongs to five; in one family, in another part of the city, the husband belongs to four, the wife to four, and the daughter to one. It is said that one woman, who was instrumental in forming many, belonged to eleven when she died; and that another belonged

to fourteen, and received sick benefits amounting to some $50.00 a week, at one time. Yet new societies do not seem to be growing up in any number, and in most of the old ones the membership has fallen off. This may partly be accounted for by the fact that members are chosen with some care, and that they can come in without paying an admission fee only when, as after dividends have been declared, the financial standing of all is the same. It is likely, however, that persons have been more attracted to the secret societies, and to the legally incorporated beneficial associations, which have more recently been formed.[1]

Secret societies among the colored people are now very numerous. The most important ones date back to before the war. The colored Masons and Independent Order of Odd Fellows do practically the same work as the whites, but the organizations are entirely independent of the whites here, the colored men having been obliged, from the state of public feeling in the United States in the old days, to get their charter from the white brethren in England. The colored Masons have increased in Maryland. In 1884, there were nearly 500, now there are probably 700, mostly in Baltimore. The Independent Order of Odd Fellows is much larger, fifty lodges out of the seventy-seven working ones, giving a membership of over 2,300. The absence of reports makes estimates of little worth, but it is not likely that the order has grown as much, in proportion, as the Masons. The fifty lodges mentioned had, during the past two years, aided their sick,

[1] Connected with one of the Baptist churches is a society of some twenty-five young women, which has a banking committee to receive and invest all sums deposited by members. The money is subject to call, together with any interest accrued to it. When one of the members marries, a general assessment of twenty cents is levied, for a fund for the bride. There is also a sinking-fund society, with some sixty members, who are encouraged to save small sums which would be spent often in profitless ways, and who thus find reasonable sums to their credit at Christmas or other special occasions.

buried eighty-three brothers, and relieved seventy-seven widows and seventy orphans, at a total expenditure of over $13,000. The order held real estate worth $18,500, and had over $10,000 in cash. About ten years ago, the ranks of the Odd Fellows split, the discontented wing starting the National Progressive Order of Odd Fellows, an entirely independent organization, managed by its members without any trouble or expense by reason of conventions or "committees of management" elsewhere. This order now numbers about 1,500, the last five years showing a small increase. They are mostly in Baltimore. The property of the order is over $5,000, a considerable increase. The dues and benefits are mostly like those of the beneficial societies, but in addition, $20 is paid a member on the death of his wife, and $10 or $15 on the death of a child.

Of the secret societies peculiar to, or originating in, Baltimore, the most influential are the Samaritans, the Nazarites, the Galilean Fishermen, the Wise Men. The first two were instituted some years before the War. The first has spread from Baltimore, during the forty years of its existence, to a number of states; but a third of all the lodges and nearly a third of all the members are in Maryland. About one half of the order are women, Daughters of Samaria, and they meet by themselves in their own lodges, in the afternoons, except occasionally in the country, where they cannot well meet in the day time. There are now in Maryland, fifty-eight lodges, with a membership of 1,925, a slight gain over the preceding year, but apparently a considerable loss in the past six or eight years. The order has held a building, Samaritan Temple, for some years, but with some difficulty, evidently. During the past year, the lodges in Maryland have paid out nearly $5,000, have invested over $4,000 and hold over $10,000 in property and cash. The Nazarites are almost all in Maryland, mostly in Baltimore, and now number about 900 men, in twenty "pastures," and over 1,600 women in twenty-one "courts." During the last few years there has

been a decrease of about a hundred in the men, and an increase of women by several hundred. The order does not own much property, but has $25,000 in the bank. Like the Samaritans, it requires a membership of six months before benefits are given, and a year of non-payment of dues makes one liable to suspension. After some weeks of non-payment, a member becomes unfinancial. The Nazarites do not pay sick benefits, as a rule, for more than sixteen weeks a year. The order of Galilean Fishermen, of men and women together, was begun in Baltimore, in 1856, by a handful of earnest workers. It was legally incorporated in Maryland in 1869, and has since spread in large numbers, far and wide; becoming apparently the largest society among the colored people. In Maryland, a few years ago, it was not as large as the Samaritan order; in 1884, there were eighteen adult tabernacles of 2,269 members, holding but little over $2,000 in the bank. Of these, all but 259 were in Baltimore. Since then, a building for meetings and a general headquarters of the order has been erected, the Galilean Temple; many members have been added; and the order has become influential. It is said to number now over 5,000 in Maryland, and a few disaffected members are forming an independent order. The order of Seven Wise Men is a more recent order, having now, mostly in Baltimore, some two thousand or more members, about equally divided between men and women, meeting in lodges and "households," separately. In one year, recently, this order buried twenty-four members, and relieved 201, paying out altogether $4,300, and having left some $2,000 in property and $4,175 in cash.

These are the largest societies only; there are many more of the same secret-beneficial nature that might be given, as the Sons and Daughters of Moses, Sons and Daughters of Ezekiel, Queens of Night, Hosts of Israel, the order of True Reformers, &c., &c. Among the families and friends of members of societies which do not include women, a number of societies have been formed, auxiliary to or more or less

dependent on the others. Thus, the Queen Esther's Households are connected with one branch of the Odd Fellows; the Sisterhood of Miriam with the other; and there is an auxiliary body to further the beneficial work of the Masons. Many societies also have juvenile branches, with a system of small dues and benefits, and of promotion of members, at a certain age, to the adult bodies. Thus the Galileans have several juvenile tabernacles; the Nazarites have nearly 600 "ewes," as the children are called, under the case of special "shepherdesses;" the Wise Men have some 500 children; the Samaritans recently had nineteen lodges, but the number of children was not very large. The various temperance societies have done considerable work among the young.

The secret features or peculiar ceremonies in these societies, vary from the few sisters in colored capes who say the ritual at the coffin of a deceased member, to the anniversary procession of the Galilean Fishermen, a few years ago, in which—consisting of over a thousand members in full regalia—were the Bishops commandery, the Gideonites commandery, the Priesthood of twelve persons, representing the tribes of Israel, each bearing a white stone on which the name of the tribe was cut, and 500 Virgins of the Ascension, with white dresses and veils and with purple streamers about the waist, with the Ark of the Covenant in their midst.

We may disapprove of such secret societies, but we must remember that secret rites and ceremonial displays are not peculiar to any one race or color. The colored people, indeed, are peculiarly imitative. It was natural that many of them should be attracted by comradeship, and by display and secrecy alike. The larger societies seem to have thrown their doors wide open; one has just advertised in the paper for 25,000 recruits from one year of age to seventy-five.[1] A few years since, societies were very fashionable and popular. At

[1] The Galilean Fishermen.

a meeting of the colored clergy of Baltimore, about ten years ago—when occasional meetings were held for the discussion of non-sectarian matters of interest—the question was raised, not without some opposition, that secret societies were not beneficial to the people. Only three of the clergy present were opposed to them. It is now the opinion of many intelligent colored men that the societies are not as popular as they were; surely, if the clergymen were again called on, as to the benefit of them to the colored race, a goodly number would oppose them altogether, a majority would oppose all expenditure of time and money in useless forms and show. Many of the most well-to-do, influential and intelligent colored men have no sympathy with them, as they have been carried on.

The chief criticisms against the secret societies by those who have no part in them, are that much money is uselessly spent, and that morality and the progress of the race are not really advanced. It may please some to feel that their little lodge in Maryland may secure charters from some "committee of management" elsewhere, or may be represented by delegates in a national council at Chicago, but these things cost money and no hard-working individual in Maryland is bettered thereby. Ministers will often bear witness to the fact that lodge meeting will draw from prayer meeting, and lodge expenses from church offerings. Many of the better class of colored women oppose meetings for women at night, and any general mingling of men and women, as in some of these large orders. There are direct charges that persons of bad character are not rigidly excluded. A colored preacher said, in a sermon to a number of benevolent societies in 1884:—the secret societies have proven themselves useful, but they are burdened with some of low morality; you say, let these alone, perhaps they will change, but you have waited long, and they don't change! In a few cases, there may be some ground for complaint that the management has been bad;

but this would seem in part due to a fault of the members in trusting too much and too long, without demanding business-like methods and reports.

Already many wholesome changes in these secret societies have been quietly going on. A few years ago, there were the street parades and ostentatious funeral processions—when the death of a member occasionally, said a colored man with a smile, was a God-send to a society; there were sermons constantly being preached to special bodies, calling out the young and old of both sexes on Sunday night, in expensive regalia. All this has been much given up; and there is every reason to believe that experience and education will have the same effect here that they have had in the religious life of the colored people, that useless forms will be thrown more and more aside. In as far as the societies can become purely beneficial, with strict business management, in so far they will meet the approval of all, and be of the greatest help to the race.

Several regularly incorporated mutual aid associations in Baltimore are being well patronized by colored people. The largest one, the Baltimore Mutual Aid Society, has thousands of colored subscribers, and employs several colored agents. In 1885 was incorporated the colored Mutual Beneficial Association—the only one in the State—entirely managed by colored men, with a colored doctor, and a prominent colored lawyer for counsel. It is endorsed by all the clergy, has grown rapidly, and proven itself worthy of the support of the people. The sick benefits vary, according to the weekly payments and to age, from seventy-five cents to $7.00 a week, but not for more than twenty weeks in any one year; the funeral benefit from $8.00 to $60.00. In these first few years, some $10,000 has been paid out in benefits. The sworn statement recently filed in the office of the State insurance commissioner, shows that, during the past year, the number of deaths has been nine, and of members claiming

sick benefits, 203; while the total number of members was 2,909, a very large increase.[1]

There are a considerable number of colored men in the Grand Army of the Republic, in Baltimore. They form several posts by themselves; but no color line is drawn in the sessions of the department of Maryland, and colored men are represented on the committee of administration; while one colored man of Baltimore is now on the staff of the national commander-in-chief of the Grand Army.

Social life among the colored people is very much like that among the whites, only on a smaller scale; a reflection of the larger world about them. There are the small fashionable groups; there are the large masses who are out of fashion. There are the prosperous and unpretentious, and the poor and showy. Among some, in fashionable circles, we find New Year receptions, at which visitors are received in full dress, and cake and wines are served. A few privileged daughters are brought out into society by a party or reception. At one party, for instance, the dresses were elaborate and many flowers were worn; the men were mostly in full dress with button-hole bouquets; and a supper was served at midnight. Assemblies are also frequently held, usually given under the management of some social club, in a public hall, with entrance open to all who purchase tickets. To one of these, so we read, fully two-thirds of the guests came in carriages, and flowers were abundant. The society columns of the colored papers have often had elaborate accounts of the toilets at these assemblies

[1] Regularity in payment of dues is strictly enjoined. There are special provisions for cases of total disability. No benefits are given in cases of confinement, diseases peculiar to women or venerial troubles; nor at death from suicide, under the law, or from military service, &c. The only objection heard against the mutual aid societies is that they are inclined to take advantage of technicalities in their favor, sometimes to the injury of a worthy applicant for aid.

and receptions. Nor does gaiety, in these circles, even stop with the Spring, for we read of visitors to Atlantic City, Newport, and even Bar Harbor, and of a reception in evening dress at a summer resort in Western Maryland. This is all among a favored few only. At the other and larger extreme of social life, there are the little entertainments given in order to raise a few dollars for charity or pay off some house rent; and further back still, the "cake-walk" and other diversions of a ruder kind, which come from the old plantation days. Picnics and excursions have always been held in Summer, but these are usually connected with some church or other society.

One thing peculiar to the colored people was the popularity, a few years ago, of small social clubs. There were probably 150 of these in Baltimore, with an average membership of twenty or thereabouts. The names were various: Golden Anchor, Montebello, Immaculate Conception, Mexican Croquet, Amphion Pleasure, Christian Leaf, Entre Nous, Ne Plus Ultra, Nonpareil, Private Waiters, &c. A few have had club-rooms, and several have had some system of friendly or beneficial work, but they met, as a rule, in private houses, and were for pleasure only. Sometimes, sermons were preached to them; one Sunday night, for instance, eighteen of them attended a special service. They frequently gave parties and promenades as benefits for their own members. At one, some 400 persons were present, representing fifteen or more clubs. Another club, of only eleven members, sold 1,000 tickets to an entertainment. Another gave a yearly concert and promenade, at which prizes—on one occasion, a silver cup and a plush album—were awarded to the best promenaders. On one programme were twenty promenades, led by leaders of twenty clubs respectively. At one of the most elaborate receptions, there was a crowd of men and boys selling flowers about the entrance, there were the conveniences of dressing-rooms, with checks, there were visitors from out of town, the orchestra was large, and the supper included oysters, croquettes and peas, salad, Roman punch, ices, fruits, wines and coffee.

It is no wonder that many old heads among the colored people, and some of the young heads, too, looked with regret on the great expense, the late hours, and the many temptations to careless living, which were fostered by these socials and promenades. Some of the clergy preached against them, and wholesome advice was given both by editorials and communications in the colored weekly, at that time, the *Star*. One vigorous writer—known to be a prominent and intelligent man—under the *nomme-de-plume* of Uncle Zeke, said that these social pleasures were "fast becoming a curse to our young people," and calculated that some $56,000 were wasted in money every Winter in halls, dresses, hacks, music, refreshment, &c., by the 300 or more promenades given. Besides, he added, "millions lost in health and character"—and yet, in spite of all this, our people whine at being poor!

In this respect, again, the strong influence of the clergy and intelligent leaders, ambitious for the race, seems to be bearing fruit in a general progress. The expensive social and the promenade are less popular, and the entertainments and picnics that are held are, as a rule, more creditable. The cake-walks and drum-corp matches—and there were nine colored drum-corps, a few years ago—used often to end with necessary interference of the police, and the patrol-wagon has sometimes been summoned to the assembly halls. One who has for years played a violin at dances of the colored people, recalls, with a laugh, how he often had to retreat for safety beneath the stage, and bears witness to the improvement, now. But there is still vast room for improvement.

There are clubs and socials, of course, which have been useful as well as pleasant. One, for instance, became a publishing company, to encourage one of the colored papers, and thus exert at large an influence for good; another is connected with a church society and gives musical and literary evenings. Some of these have done good church work. There are also several musical clubs or associations, of not large membership; one of which, of some fifteen male voices, has given one

or two good concerts. There is one colored orchestra of eight or ten pieces, which does quite a good business in playing for assemblies; and there are several bands, one of them being quite well known. There are in Baltimore several professional organists and music teachers, reflecting considerable credit on the colored race; and organ recitals have been given in several churches. There have also been one or two dramatic clubs. One of these, in 1888, gave a public performance of Othello.

Prominent in the best social life of the colored people are their clergy, and their professional class, their doctors, lawyers and school-teachers, a class of educated and progressive men, as a rule, just now growing up in Maryland.

The public libraries in Baltimore are open to the colored people. And tickets for seats in the galleries of the theatres are usually sold them, the rule being in all cases that whites only are admitted to the floor. But hotels and restaurants patronized by whites will not serve colored persons, except the railway restaurants. When a colored clergyman of Baltimore was refused food at the Relay House station, and complained to the president of the Baltimore and Ohio Railroad, several years ago, he was assured that the attendants had acted without orders, and should be reprimanded. Some little complaint has been made by respectable colored men against the discrimination between white and colored citizens in the city park, in that the lessees of the restaurant will serve the latter only at a stand without the restaurants. In such matters as these, however, the complaint of the colored people usually runs against a high wall, of strong and widely spread public sentiment against any changes.

The slave-code, as we saw, was wiped out of the statute books, in 1867, together with some of the laws which had grown up with it, discriminating against all persons of color. There still remained some of these laws, together with much old custom and old ways of thinking.

Before noting the important steps by which these laws and customs have been done away or modified, it is important to understand plainly that the leading colored men, while zealous for the abolition of all race discrimination, have clearly recognized that civil equality and social equality are two entirely different things, and that the latter cannot be brought within the sphere of legislation. It is evident to anyone, be he white or colored, who looks about him and thinks of what he sees, that social matters must always be regulated by individual taste. Though Alderman White and Alderman O'Harrity have desks in the same room in a New England city hall, there is no social equality, or obligation even, created between them thereby—beyond the ordinary politeness which every gentleman will show to a fellow man who may be near him. Said one of the first colored political leaders, to the republican state convention in 1867: "You talk about equality —I recognize political equality; there is no such thing as social equality or moral equality. A man makes his equality in proportion as he studies, reads and learns. I am glad to see the day that colored and white can associate in the same terms of political equality—I hope there is nobody in the audience that is afraid of the great bear of social equality. When there is a special affinity between the intellectual powers of the white and black man, they will be one socially." And, he added, the poor man sits beside the millionaire in the car but that does not make him the social equal. "The negroes do not ask for any special laws," wrote a prominent and progressive clergyman of Baltimore, twenty years later; "we only ask that the laws that be, be applied equally to all. We don't want any social rights. There are plenty of black people and white ones I would not allow to enter my house." The colored people, said an editorial in a colored paper, never did demand social rights; they "are building up their own social circle." "Many evil disposed white people," said a prominent colored lawyer of Baltimore to a large gathering of his people, in 1888, "distort the efforts for civil and legal rights

of colored people into a clamor for social equality, thus engendering prejudice to our cause. Colored people no more demand social equality than do white people desire it. I have seen white men that I would not let black my boots. No legislature enactment can or ought to regulate social matters. Animals have their choice and preference; why not men?" And but a few weeks since, a committee of an influential body of colored citizens of Baltimore, in presenting to his honor the mayor and one or two prominent citizens a book on the injustice of race discrimination, again bore witness to the fact that they asked for the fullest recognition of civil rights alone, which was not to be confounded with social rights. The two, they said, "stand widely apart."

In 1867, Chief Justice Chase, of the Supreme Court of the United States, in the case of a young colored girl, declared null and void the old law of Maryland which did not require the master of a colored apprentice to have any education given, while masters of white apprentices had to have them taught a certain rudimentary knowledge of reading, writing and arithmetic. Also, Judge Giles, of the district court in Baltimore, protected several colored men, of Kent and Anne Arundel counties, in the exercise of the suffrage; holding that while the right to vote was not given in the fifteenth amendment to the Constitution, the right not to be discriminated against, from race or color, was certainly conveyed.[1] But the first step of great interest, was the abolition of discrimination in the use of the horse-cars.

Colored people had been allowed to ride only on the front platforms of the cars. There was no protection there from bad weather, and no seat—excepting when, as is said to have occasionally happened, a good-natured driver would give his stool to some old or feeble colored person. Yet the fare was the same. If a colored woman, however, were attending her

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[1] 1st Abbot, 87. Cases of U. S. *vs.* Mason and U. S. *vs.* Shumaker, Boone *et als.*

mistress or carried a white child, she could enter the car freely; and there are cases known in which a colored woman who had long distances to go would borrow a white child, to entitle her to a seat. So the custom of the community remained—and there was probably little thought about it—until early in 1870, a colored man from New York quietly sat down in a Baltimore street-car, was thereupon ejected, and therefore entered suit against the railway company, in the United States court. Damages were awarded in the sum of $10, the court—Judge Giles—holding that the companies might provide separate cars or compartments, with reasonable equality of accommodations, but had no right to discriminate as had been done, between passengers who were orderly and offered to pay their fare. The railway company at once put on a number of cars marked "colored persons admitted into this car." "We advise all our colored citizens," said the republican organ, the *American*, next day, "for the present to be satisfied with the provisions that have been made for their transportation, and not to insist on what very probably is their legal right—to ride in any car. . . . Before six months pass by, the red-lettered labels will have disappeared from our streets." The separate cars did not bring about what was intended, for many whites, rather than lose time on the street corner, took the first car, whether colored persons were in it or not. Within a week, a resolution was introduced in the city council, to forbid whites from riding in the cars marked for blacks; and the old straw of slavery and of divine separation of races was thrashed over by one or two members—but it amounted to nothing more than a reference of the resolution to the committee on railways. Other street lines that were started made no distinction between orderly passengers. Finally, in less than a year, a colored man from Virginia, on being ejected from one of the ordinary cars of the old company, brought suit against it for $2,500 in the United States circuit court. The testimony brought out the interesting facts, from officers of the company, that four out of fifteen cars were then being

run for colored people, and that of the passengers who rode in these cars, specially marked, ninety-six out of every hundred were white. The question as argued was chiefly of fact, as to the conveniences afforded the blacks, following the previous decision of Judge Giles; and the court, Judges Giles and Bond, charged that if the plaintiff was refused transportation because of his color, after having offered to pay his fare, he could recover reasonable damages. The jury gave him $40. Thereupon, the red-lettered signs came down, and all the cars have since been open to all orderly passengers. Such is now the custom, and people apparently think no more of it than they did of some other customs, years ago.[1]

In 1882, the State Medical and Chirurgical Faculty admitted colored doctors, and there are now three colored doctors in Baltimore members of it. A leader among them bears witness to the professional courtesy with which he is treated by the white doctors. Several have offered the facilities of their laboratories to him; consultations have been freely given when asked; and he is soon to present a report on a matter of interest at a meeting of the Faculty. Altogether, there are six colored doctors in Baltimore, two of them new comers, and at least two well known ones outside—one in Annapolis and one on the Eastern Shore. The most striking fact is that those of them who have received a college or university medical-school education have had to get it outside of Maryland. One comes from the Harvard Medical School, another comes back to his birth-place from the Howard Medical School at Washington, a third comes recently with high honor from Michigan University at Ann Harbor; but no medical college in Maryland has as yet opened its doors to a colored student. Many of the medical students in Baltimore are of Southern birth and bringing up. One colored student has recently been refused admittance to the University of Maryland School, and

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[1] See papers for April 28–May 3, 1870; Nov. 11, &c., 1871.

has gone, at considerable expense, to a Northern school. It is not likely, however, that this discrimination will last. The medical instruction of the great Johns Hopkins foundation will be open to all; and there are some influential members of the management of the University of Maryland who feel that the profession of medicine is too high and beneficial a calling to know any narrow bounds.[1] There is also, as yet, no dental school at which colored men can study here. There were formerly two colored dentists, one of whom came from Liberia. Now there are three, who have gotten their education or experience by pluck and observation. One was assistant for six years to a white dentist, who gave him regular instruction; one was for years the janitor in the dental college; the third was also employed in a dental office. All of them now have certificates of recognition from the Maryland Dental Association. The colored people patronize both white and colored dentists. And, it is interesting to add in conclusion, the leading colored doctors have had not a few white patients, notably Germans. The doctors and dentists here mentioned devote themselves exclusively to their professions.

For several years after the war, colored organizations could not carry fire-arms in Baltimore, and the right was afterwards taken away, after an affair between a colored company and a crowd of bystanders on the streets. The laws limited the militia to whites, for years, but there are now three independent colored companies on the rolls, two of them in Baltimore. They encamp by themselves. One company—so report goes—was the result of some political work. The brigade officers have spoken well of the drilling of some of them.

There has been no system of discrimination between whites and blacks, on the steam railroads in Maryland. But the

[1] At a mass meeting of colored people, in 1873, resolutions of gratitude were passed, to Johns Hopkins, for his great gifts to the public, in which white and colored were both to share. Every man and woman rose as the vote was taken, that "we will teach our children to do honor to his memory when we shall have passed away."

right to use some regulation, within the State, has been recognized by the United States court here. When, in 1876, some colored excursionists on the Baltimore & Ohio R. R. were ordered—with some rough language on the part of a local official—from the cars of a regular train into cars specially put on for the picnic, suits were brought against the railroad by eighteen of them, for damages of $500 each, under the supplementary civil rights act of the preceding year, for being refused admission to a car with white passengers, and compelled to occupy a separate and inferior car. Judge Giles decided the matter against them, on constitutional grounds—calling attention to the difference between these cases and the horse-car cases, in which the plaintiffs had not been citizens of Maryland—holding that, in accord with recent decisions of the Supreme Court, the privilege of using any public conveyance, for local travel in a State, was not a right belonging to a citizen of the United States, as such.[1]

When the article forbidding intermarriage of free negroes and whites was wiped out of the code, in 1867, with many of the "black" laws, a member of the house of delegates obtained leave to introduce a bill for another law of the same purport—but no law was enacted. In 1884, however, all marriages between whites and those of negro descent to the third generation inclusive, were prohibited under penalty of imprisonment for from eighteen months to ten years. There does not seem to have been any special call for the law at that time; on the other hand, there was little opposition to its passage in the assembly.[2] But in December, 1886, nearly three years after, a case under this law was brought before the circuit court of Washington county, in Western Maryland. For some years a colored man and a white woman, with

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[1] 1 Hughes, 536.

[2] The vote was 14 to 4 in the senate, and 61 to 12 in the house. It is said that the marriage of Mr. Frederick Douglass to a white woman, though in no way connected with Maryland, caused the introduction of the bill.

several children, had been living together, when the man determined, led partly if not wholly by the influence of religion, to have the sanction of marriage to their relations. On being married they were indicted, and the court gave them eighteen months imprisonment, the lightest possible sentence. This case created considerable feeling among the colored clergy and others throughout the State. A large meeting was held in Baltimore, and several prominent colored men wrote at length in the papers and in addresses, for a movement for the repeal of the law. A petition for the pardon of the offenders, signed by a few white clergymen also, was presented by a committee to the governor; but a pardon was not granted.

It is important to note that the colored leaders desired a repeal of this law, as of all such laws, not on grounds of social equality, but chiefly because they thought it a race discrimination, and a cloak for immoral living. Said one speaker, at a large meeting, a clergyman: "It is as unpleasant for a high-minded colored person to discuss this question of intermarrying as it is for a high-minded white person. Intermarriage after the law shall have been repealed will be a matter of selection, and there is no just reason why anybody should be offended. Our object is to make it respectable. The white people have mingled with us in the dark, but when we want to bring the clear light of day upon such things . . . they are shocked." The leading colored paper in Baltimore, edited by a prominent man of the younger men, opposed intermarriage of the races, with a belief in the excellence of the colored women, but urged his people to raise again, and increase, their efforts for a repeal of all "black" laws. "Shall this man and woman," he asked, "for obeying God's behest, to enter into clean, pure, sacred matrimony, be permitted to suffer martyrdom, and we remain in masterly inactivity?" It is doubtful if the agitation accomplished anything, considering the present state of public sentiment on such questions.[1]

[1] A white man of Annapolis is now awaiting trial for marrying, recently, a colored woman.

In the old days, such a thing as a colored juror was not dreamed of, for the testimony, even, of a colored man would not be received in a case in which any white person was interested. Since 1867, the juries had been selected from two lists, one of "white male taxables," the other of all the names on the poll-books used at elections. All colored voters were on the latter list, of course; but nothing in the law prescribed who should, and who should not, be selected out of these lists, and the officials who made the selections very naturally followed their inclinations, which, as a rule, were opposed to giving to colored persons any more recognition than necessary. As time went on, colored men were taken on the juries, more or less, in some counties; in Baltimore there have been some excellent colored jurors. In some counties, on the other hand, none but white men had ever been drawn. The first colored juror, for instance, in Anne Arundel county, is said to have served in 1880. In 1885, the counsel for a colored man under trial for a very heinous assault on a white woman, in Baltimore county—adjoining Baltimore city—tried to remove the case to the United States circuit court, on the ground that there was a partial exclusion of colored men from the jury box, by the laws of Maryland, and that, on account of color, no colored man had ever been drawn in that county. The criminal court of the city, to which the case had been removed in order to avoid the strong popular feeling in the county, denied the motion for removal. This opinion was sustained by the court of appeals; which said that if the law required jurors to be drawn from the list of white taxables only, the objection of the counsel would be good, but the taxables were all on the poll list, and so it was practically the poll list from which jurors were drawn. As to which of the races would preponderate on a jury, would depend on the official judgment as to which had the highest standard of the "intelligence, sobriety and integrity" called for in the laws. To put colored men on juries because of color, would be a violation of law, as well as to exclude them therefor. Some of the colored

leaders, anxious to have the jury law tested by the highest tribunal, set about to raise the necessary sum—about $50.00—for entering the case in the United States Supreme Court. But the matter was not quickly pushed; the advisability of action in this case was questioned by some—and the very day that the money was finally handed the prisoner's counsel, but a few days before the time of execution under the sentence, the man was taken from the county jail by a mob and lynched. The chief cause of any difference of opinion among the colored people as to the appeal, was that public sentiment might misunderstand the movement for one of sympathy for the accused man. It would be better, said a colored paper of Baltimore, to take up some case of larceny for a test, than one in which the crime was so horrible and the proof of guilt so plain. The leaders of the movement, while zealous against any race discrimination, urged that they had no desire to shield a man properly convicted of crime.[1]

A very intelligent colored man, who has served as a grand juror, states that little is usually said about any person under suspicion, before some juror asks the question: "Is he white or colored?" In what way, ask the colored people, does the color of a man's skin enter into guilt? The fact is, not that the average juror would be, or will be, prejudiced, but that customs cannot be quickly changed—as political conditions, for instance, may be revolutionized. No one can deny the existence of race prejudice in certain cases, notably those of felonious assault by blacks. And it is believed that, in the counties especially, in previous years, many a young colored fellow has been sent to jail or penitentiary for some petty theft, where a white man would have been handled lightly. On the other hand, there has been a large class of more or less idle blacks; and the propensity of the race to pilfer is well known. But in how far, again, the white man has been responsible for this class of blacks, is not an easy question to answer. Until

[1] 64 Md. Reports, 40.

the opening of the reformatory at Cheltenham, colored boys were sent to prison or the jails. And that valuable institution would never have been opened, if it had not been for the Prisoner's Aid Society and a number of white subscribers, of Baltimore, largely republicans by politics.[1]

But the colored papers, while looking for a day when all men in public station shall be color blind, have been able to note, from time to time, such cases as that on the Eastern Shore, in which a white man not only got the contempt of the better classes in the community but was fined some $15, by a magistrate, for striking a very respectable colored woman with a whip; or that of another colored women who received a slap in the face and other indignities from a white man—against whom she was entering a complaint for a previous assault—and who was awarded $1,000 by a jury in the United States district court; or, again, the interesting fact that of the few cases brought, for some time, in Baltimore, under the new law prescribing a sound whipping for men convicted of wife beating, two had been white and one colored.[2] And in 1889, a young white man, of well-to-do parents, was sent to Baltimore jail for several months, for a common assault on a rather degraded colored girl.

Early in 1885, suit was brought in the U. S. district court by six colored persons against the steamer *Sue* for unjust discrimination on account of color, in that, holding first-class tickets, they were forced into inferior cabins. The court stated that there were two issues, one of law, as to whether owners could separate passengers for any reason on account of color, and one of fact, as to whether the separate cabins were equal in comfort and convenience. It was a matter of interstate commerce, for the boat took them to Virginia, but as congress

[1] For these various reasons, and from the danger of dealing, in general, with mere tables of figures, it is believed that no facts of great value will be gotten from comparisons of jail and prison reports. The charity organization of Baltimore is little troubled by colored persons.

[2] 1885.

had refrained from legislation on it, owners were allowed, by decisions of the Supreme Court, to adopt such reasonable regulations as local laws permitted. The leaning of the Supreme Court had been that, to some extent and under certain circumstances, a separation of the races was allowable. The common law said that the regulations made by carriers must be reasonable and tend to the comfort and safety of the passengers generally, and that equal accommodations in comfort and safety must be offered to all who pay the same price. Steamboat men had stated that it was customary to separate the races, on all night boats on the bay, and that the great majority of passengers would demand this. Testimony had also shown that the cabin to which the plaintiffs were allotted was much inferior to the cabin for first-class whites. "The separation of the colored from the white passengers, solely on the ground of race and color, goes to the verge of the carrier's legal right, and such a regulation cannot be upheld unless bona fide and diligently the officers of the ship see to it that the separation is free from any actual discrimination in comfort or attention." So saying, the court awarded the plaintiffs $100 each.[1] The Baltimore *Herald*, in speaking of the case, said the colored people would now be given accommodations "more in conformity with the notion that a colored person is a human being and not a brute;" the *American* said the decision was "so obviously just that it must appeal to the good sense of all;" the *Sun* appears to have made no editorial comment. A *Sun* reporter interviewed several steamboat agents, all of whom feared that the decision would cause some unpleasantness in future. The colored paper, the *Director*, was thankful for the decision, but did not think the learned judge had gone far enough in the right direction.

Since then, a suit has been brought before the United States courts here, by a colored clergyman, against another steamer running from Baltimore to Virginia. The complaint was of

[1] 22 F. R., 843.

discrimination in the dining-saloon and unjust treatment resulting therefrom. It appears that there was one table set apart for white and another for colored passengers, but with the intention that both should be equally served. The plaintiff insisted on going to the table for whites, whereupon the three white passengers took seats at the other table, where there chanced to be no colored persons. Both courts decided against the plaintiff, holding that all common carriers are bound to furnish equal accommodations for those holding equal tickets, and that the steamboat had made a separation but no distinction. And, added the judge of the higher court, on dismissing the libel with costs, the appellant appears to have been the person who made the greatest distinction against colored people, by refusing to sit at their table.[1]

Beside the prohibition of intermarriage and the partial discrimination in the jury law, the word "white" still remained, in the code, in the bastardy law and the law regulating the practice of attorneys in the State. No colored man could practice law here, and colored women were not recognized in the law which allowed any white woman to make known the father of her illegitimate child, that he might be required to secure some means to the county or city for the support of the child. Several efforts had been quietly made by some of the colored people to have the word "white" struck out of these laws by the legislature. In 1884, a bill to open the State bar to colored lawyers was reported favorably by the judiciary committee. A petition for its passage was presented the house, with a hundred signatures; and the paper with the largest circulation in Maryland, the conservative organ, the *Sun*, said in its editorial columns: "the law has no right to keep a colored man from earning his bread in any honest way he may see fit, provided that he shows himself able to meet

[1] Baltimore papers of May 3rd, 1890. It is interesting to note that the judge quoted is an old republican leader, friendly to the advancement of the colored race.

the requirements imposed on all other classes of citizens, . . . the law, as it stands, forms only one part of a system that has passed away, and which no one wishes to bring back."[1] Yet the bill was lost—somewhere in the State-house. At the same time, three petitions were presented, for equal protection to all women by the passage of a bill which had been introduced two years before. One petition was of 115, another of 256, citizens of Baltimore, and the third from 214 members of the African Methodist Episcopal church in Harford county. The committee on judiciary soon reported against any change, but the old bill of two years standing was substituted for the report by a vote of forty-six to thirty-two, and the bill was later passed by fifty-six to twenty-four. In the senate, it was referred to the judiciary committee, and was seen no more.

The colored people could expect nothing of the democratic politician, but those of them who were most zealous for the repeal of the "black" laws were disappointed in the absence of vigorous assistance from the republican leaders and from many of the politicians of their own race. If the democrats were "copperheads" to them, the republican politicians were "weak-knees." Not that individuals would not vote for them, but the party managers, who felt pretty sure of a solid colored vote, were afraid to put in their platforms any questionable timber. It was at the request of several prominent colored men that the prohibition party alone—a party that had little to gain and little to lose—put in their platform in 1886 the desire to have the word "white" wiped out of the statute books, and to give justice and equality to all. As to the colored politicians, as a body, they had been striving after offices for many years, and advising those who wanted equality of rights to have patience. "Politicians," said a prominent colored lawyer, later, in a public address, "have betrayed the people and bartered away our birthright and lawful heritages.

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[1] Baltimore *Sun*, Feb. 7, 1884.

We must pursue new methods—not special legislation, but the enforcement of the law as it is."

It was with such an idea, for the enforcement of the highest law of the land, and the need of assistance to injured members of their race—as in the case of the steamer *Sue*—that a number of leading colored men of Baltimore, notably Baptist clergymen, associated together in 1885, as the Mutual United Brotherhood of Liberty. The organization was simple; the purpose was "to use all legal means within our power to procure and maintain our rights as citizens of this our common country." The constitution opens with the words, that as it is a Scriptural truth that God has made of one blood all nations of men, and as it is equally true, according to the Declaration of American Independence, that all men are endowed with the inalienable rights of life, liberty and the pursuit of happiness, therefore it is the solemn duty of every man to seek to maintain these rights. The brotherhood soon held a public meeting, at which Frederick Douglass spoke, in order to rouse general interest; the membership was increased by not a large number but by a very desirable element, of various denominations; and it took a leading part in the movements which thereupon followed, for the elevation of the colored people of Maryland.

First of these steps was the opening of the bar, which colored men had for years been trying to accomplish in various ways, and which the legislature, as we saw, had refused or neglected to do. In October, 1877, a colored man, who had been admitted to the bar of Massachusetts by the supreme court of that State, and had since moved to Baltimore and been admitted to the United States' courts, but had applied in vain to practice in the city courts, applied to the court of appeals. He argued that the right to limit admission to the bar to whites had been rendered inoperative; but the court decided otherwise, holding the matter settled by decisions of the Supreme Court of the United States, that the federal powers protected those privileges only which belonged to citi-

zens of the United States, as such, and that the right to practice law in a state court was not such a privilege. In 1884, some of the colored leaders who were soon to form the Brotherhood of Liberty, decided to make an effort to have the law tested again, in the case of another colored member of the Massachusetts bar then living in Maryland. The associates became responsible for any expenses necessary, the services of a lawyer were secured, and a petition for admission filed, in December, in the city of Baltimore supreme bench. The matter dragged along, the court evidently considering it as settled by the court of appeals' rulings in 1877, until the counsel for the petitioner secured a day for a hearing, on the claim that more recent decisions of the Supreme Court of the United States might raise a question. A few days before the hearing, the Baltimore *Sun* called attention to its editorials of the previous year, when the bill to open the bar was before the legislature, and added: "Sooner or later all restrictions on freedom of citizenship must disappear, and there is no reason why the legal profession should be the last to recognize the inevitable." A reporter of the *Sun* also interviewed a number of prominent citizens on the subject, including several of the judges of the supreme bench. The mayor, Mr. Latrobe, said that all restrictions on the freedom of citizenship should be removed; and several prominent lawyers, democrats, of Southern instincts, expressed themselves as having personally no objections, if the colored men proved their fitness. One lawyer said the matter had been discussed at a club, without any expressions of race prejudice. The judges who were seen agreed in the injustice of the law, one calling it "a relic of barbarism," but they seemed to feel hopeless of redress except from legislative action. Some members of the bar were opposed to any change, of course. The *American* advised an appeal to the legislature.[1]

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[1] On the day before the hearing, the Baltimore *American* advised the colored people to appeal to the legislature. The next day, the colored paper, the *Director*, called attention to the strong utterances of the *Sun*, the

The hearing took place on Feb. 14, 1885, and a few weeks later the supreme bench gave their unanimous opinion that, in accordance with decisions of the Supreme Court of the United States since 1877, colored men must be admitted to practice law despite the word "white" in the State code. The law in the States, the Supreme Court had said in 1879, shall be the same for the black as for the white man; and, again, in 1883, the States cannot deny to any citizen "the right to pursue any peaceful avocation allowed to others." By the constitution of Maryland, also, said the city bench, judges must be selected from those who have been admitted to the bar. But the United States Supreme Court had decided that colored men cannot be excluded from the jury box on account of color, and this decision would apply equally to a law excluding them from the judicial office and participation in the selection of juries. So, as a statute must give way rather than a provision of the State constitution, when the provision alone is not repugnant to federal law, the act of assembly limiting members of the bar to whites is made void. As the result of this test case, thus carried through by a few men, in the face of much discouragement and at a cost of over $200, there are now five colored lawyers in Baltimore, young, intelligent, progressive men, bidding fair to be successful in their profession. They bear witness to the professional courtesy shown them by all decent lawyers.[1]

The State bar was not opened to colored men until 1888, when the colored lawyer who had first taken up the practice of law in Baltimore was admitted to the court of appeals.

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democratic organ, and asked where their staunch republican friends were in this fight. On receiving from the editor of the *American* his article of the day before, the *Director* asked if he did not know that the assembly of 1884 had been appealed to in vain. The *Herald* came out, a few days after the hearing, and said: We knew that our opinion was well known, and that nothing that we could do would have any effect, in a matter which was not before the popular judgment, but a court of law.

[1] See Baltimore papers, Feb. 9–17, March 20, 1885.

The word "white" had then been dropped from the law, in the new code. There is, at least, one colored lawyer in the counties. It is interesting to note a case which came up in Baltimore county court, in November, 1889, in which a young colored man was acquitted of a charge of assault on a white girl—and against him, when he was arrested, months before, there had been some popular feeling—by a jury of white men, being defended by two young colored lawyers, recent graduates of the University of Maryland. It was the first time a colored lawyer had been heard in the court-house.[1]

The first two colored men to practice here were graduates of Howard University; but the law school of the University of Maryland had soon, with the opening of the bar, admitted colored applicants, and the two young men just mentioned were the first graduates, in the Spring of 1889. There was some little talk of dissatisfaction, nothing more, among some of the white students, and there were some among the faculty who disliked the change. One of the colored students said, in a paper he was then editing: "We are as cordially received and as finely treated" here as when we were in a Northern college. And it is pleasant to note that the graduating students themselves, by the good judgment and tact of the two colored ones, and the kindly feeling of the majority of the white ones, in return, prevented any color discrimination in seating the guests at the graduation exercises. One of the colored students stood very high in the class, and is now—as one of his white classmates is doing also—assisting a judge of the city bench, an instructor in the law school, in the preparation of some work on equity jurisprudence. There are at present two colored students at the law school.

The next movement of the Brotherhood of Liberty, the bar having been opened, was against the retention of the word "white" in the bastardy law. In 1886, a bill to strike out the discrimination had been introduced in the senate at

[1]An alibi was maintained by the counsel for the prisoner.

Annapolis, had been reported favorably by the judiciary committee, and had then shared the fate of similar bills and disappeared. Thereupon, the counsel of the Brotherhood of Liberty carried a test case before the Baltimore city bench, which decided that the law was constitutional, and dismissed the parties, who were colored. Soon after, a white man came before the criminal court, under the law, on a charge brought by a white woman; but the case was dismissed on the ground that the law was unconstitutional as not applying alike to all citizens. Finally, in the Spring of 1887, a case under the law was brought from the circuit court of Washington county to the court of appeals, on the same ground, that the bastardy law was made void by the fourteenth amendment to the constitution. The court said there was need of a decision in such a question, which had been decided in different ways, and had been a matter of popular comment and discussion. Stating that individual opinions as to the wisdom of the law should not be given from the bench, the court showed that while the law applied only to white women, there was no discrimination, by color or otherwise, of the fathers of bastards; and declared that there was no discrimination against colored women by their omission from the law. Any money paid the white mother was simply for the care of the child, to protect the county often—the law aiming at no redress for personal wrong done the mother, who was a consenting party to wrong doing. The state of living together unmarried was not made a crime by it. This decision was given from the chief judge and three associates—a fourth associate judge, the only republican on the bench, giving the short dissenting opinion that, if the fourteenth amendment meant anything, it meant that there should not be in any State one law applying to the white race and another applying to the black, especially in criminal law.[1] After the failure of this appeal, arangements were made to carry the case to the Supreme

[1] 67 Md., 364.

Court, and a subscription was opened in the leading colored paper in Baltimore, to defray the expenses. Seventy-five dollars were needed, and a half of this was soon given, mostly in sums of a dollar. But several months went by before the paper could announce that some sixty dollars had been pledged, and all subscribers were urged to pay up, that the case might be begun. The leaders in the movement decided, then, to await the action of the assembly soon to meet. In March, 1888, another bill to change the law, though reported favorably by the judiciary committee, failed in the house of delegates, by a large majority. In April, a similar bill passed the senate by a vote of seventeen to one, but was defeated in the house by a large majority. It is interesting to note, to show that the agitation was not confined to a few leaders in Baltimore, that two petitions were sent the assembly, one from seventy-six colored citizens of Frederick county, and the other from 242 colored citizens of Allegany. Disappointed again by the legislature, the counsel of the brotherhood renewed the call for subscriptions to pay for an appeal, stating that only $36.85 had been actually received. Meantime, in 1887, an association of colored women had been formed, largely by the influence of a few prominent members of the African Methodist Episcopal church, to rouse a general interest for the repeal of the old law. It grew somewhat out of a protective union that had been formed two years before, for work among colored women in Baltimore; it now increased to two hundred or more members, and by 1888, had raised a small fund for the expected expenses in testing the bastardy law. It was at this time, when the house of delegates, for partisan or other reasons, had refused to change the law, that the new code of general public laws for the State was quietly accepted by the assembly. That code did not contain the word "white" in the jury law, the bastardy law, or the law regulating admission to the bar. The practical working of the change may be seen, to a certain extent at least, in a recent case in a county near Baltimore, where a colored man, in jail

for inability to pay the necessary sum for the support of his child, married the woman, thus legitimizing the child, and was set free by the court with an admonition that he would be expected to care for his family and behave himself. The colored people feel that a stigma, which had its origin in the old slave days, has been lifted from them.

In the abolition of these "black laws," one chief object of those colored leaders most zealous for the progress of their people, had been accomplished; but other work was before them. We have noticed already the lynching of Cooper, taken by a mob from Baltimore county jail, on the eve of an appeal in his case to the Supreme Court, in order to test the jury law. Within a decade up to 1887, some eight colored men had been lynched in Maryland, nearly all, like Cooper, for felonious assault on white women. One, however, had been a house-breaker, of bad repute; and in one case, in 1885, a brutal negro of criminal character and record, who had atrociously assaulted a little colored girl, was taken out of jail and hanged by an organized mob of colored men. The colored people of the neighborhood, if reports be true, pretty generally said—good riddance. But the colored leaders, as a rule, have felt that lynch law was largely the result of race prejudice, in that it was applied practically by whites to blacks alone. In the Fall of 1887, a colored man was in the jail at Frederick city, in the midst of a large community, waiting trial on the charge of felonious assault on a white woman in the city. The identity of the man as the guilty party had yet to be positively proven in court. There was intimation of violence abroad, to the extent that the state's-attorney advised the sheriff to be on his guard. But no steps were taken for special protection, and the man was taken from the jail and hung. There was considerable excitement among the colored residents for some days; especially as, two years before, a colored youth had been shot, in pursuit for some offense, by a city policeman, unpopular among the blacks. The policeman had then been tried and acquitted, but the colored people had been so aroused as to

form a temporary organization for self-protection by legal means. Now there was more excitement, and some threats were made against the policeman mentioned. All this soon quieted down. But the Brotherhood of Liberty in Baltimore advertised a reward of $500 for the arrest and conviction of any one of the lynchers. None were discovered; but since then the only person lynched in Maryland, it is believed, has been a white man, of bad record and waiting trial for barn burning, in jail, in Prince George's county. He was taken from the jail and hung to a bridge near by, by white men. No action in the matter has been taken by the authorities until the recent charge of the circuit judge to the grand jury, to try to have the lawlessness properly punished.

Meantime, for many years, the thinking and progressive minority of the colored people of Baltimore city had been asking for better school facilities. Previous to 1865, the public schools—the academies excepted—depended almost entirely on the local authorities of city or county. Then an educational revolution took place, the public schools being put under a State system, and a course of rudimentary instruction offered every white child. A State normal school was provided for; and an annual tax of fifteen cents on every hundred dollars in the State was levied, to be divided between the counties, and the city of Baltimore, in proportion to their populations between the ages of five and twenty. This tax was in addition to the local school tax, by which the schools had previously been mostly supported. The few free colored persons of means, in the old days of slavery, had, with a few exceptions by local legislation, been taxed along with their white neighbors for the county levy, although no school facilities were given them. The law of 1865 provided that this part of the school taxes paid by colored men should be specially used for founding schools for the colored people; the schools to be under the care of the commissioners, and to be frequently visited. It is interesting to note that in the constitutional convention of the preceding year, the convention which carried

through the abolition of slavery, the committee on education refrained from offering any provision for the education of the blacks, believing that as yet the people of the State—and they referred largely to the Union party which alone could vote—were not ready for it. But a motion to limit the schools to be established entirely to whites was defeated by a vote of forty-three to eighteen.

The political revolution in the State in 1867 was followed by another school law, but the principles of the system already in operation were kept. That system, wrote the principal of the normal school in 1869, began under circumstances which seemed to render its success impossible; but despite "all the difficulties necessarily attendant on the attempt to introduce the most advanced educational ideas among a community not prepared for so radical a change," despite "the odium attaching to the law (*i. e.* of 1865) on account of its origin," and the fact that the first administrators of it were not in political sympathy with the great body of the people, the intrinsic value of the law itself and the success of the work begun under it, have made the system a part of the settled policy of the State. The law of 1868, under the new constitution, ordered a tax of ten cents on the hundred dollars for the State school tax, and continued the former provision, that the local school taxes paid by colored men be used for colored schools. Down to 1872, this petty sum was all that the colored schools could expect, except donations from individuals. The annual reports of the school commissioners for the various counties, for 1868, refer to the colored people only three times; in one case, on the Eastern Shore, to note that the small taxes due colored schools had been given to an institution for colored children, largely aided from Baltimore, and that the colored people were helping themselves, in addition to the tax; in another, from a Western county, to call attention to the need of education for the blacks, with the exhortation to "give him education or take back that (*i. e.* liberty) which has been thrust upon him;" in the third case, from a Southern county, to explain the recent

decrease in the donations for schools (*i. e.* for whites, as usual) as due largely to the losses from a large portion of the property of the county "having been taken by the government as a sort of patent medicine, 'to save the life of the nation,' without being paid for." It is not surprising to learn that by some of these local authorities, the founding of the colored schools, even from the school taxes paid by colored men, was discouraged. In 1872, the State ordered that there should be at least one school for colored children, if the average attendance was fifteen, in each election district, to be kept open for full terms; and appropriated the sum of $50,000 yearly for the support of the colored schools, in addition to the local colored tax, to be divided according to the school population. The white schools continued to receive all the regular State school tax. In 1878, the sum of $100,000 was appropriated to colored schools, to be taken from the State school tax, at the expense of the white schools. The white schools, which had received $412,088 in 1868, now, ten years later, received $377,875. So the law remained until 1888, when the rate of the school tax was raised one half-cent, and the appropriation for colored schools raised from $100,000 to $125,000, or as much of this increase as the tax might give over the sum of $500,000.

The result has been that, in the past year, the white schools received from the State tax $405,001, and the colored schools $118,049. The local school taxes have grown, in the past decade, from $788,828, to $1,012,600. All but a small fraction of this sum goes to white schools, but Baltimore city and several counties have already set an example by having only one local school fund and drawing from that according to need for both colored and white. This plan was urged upon all the counties by Governor Lloyd in a recent message. The amount now received by the colored schools in some of the lower counties, where the black population is largest, is singularly small, nearly all expenses being paid from the State tax. In seventeen counties together, last year, less than $10,000 was received by colored schools from the local authorities. The

State school tax of last year was divided very nearly in the proportion of the colored and white populations; but the advantage is now on the side of the colored people, for the number of whites who are on the school rolls is larger than that of the blacks proportionately; while the attendance of the blacks enrolled is proportionately less than the whites, and according to official reports, is decreasing in the counties rather than increasing. The last twenty years have seen a great advance in the colored schools throughout the State. What is needed now is, on the part of the white people and notably the local authorities, an increasing willingness to give the colored people all reasonable facilities, in proper school buildings, in full terms of instruction, and in encouragement to educate themselves; and, on the part of the colored people, a greater appreciation of the facilities they already have.

In Baltimore, even before the war, there were no less than six private schools taught by colored persons, with from fifty to a hundred pupils each, many of them being adults. Several of these schools continued during the war. At the same time some members of the Union party, aided by money and workers from the North, interested themselves in founding schools for the freedmen. From this movement grew up the Baltimore normal school for colored teachers, which has done a valuable work, and has for some years been given $2,000 from the State appropriations. Some of the colored schools still meet in buildings erected by the Freedmen's Bureau. A number of public schools were begun in Baltimore, and a considerable sum appropriated by the city government of that day. Statistics, as given in the papers, showed that in 1867 there were 2,800 colored pupils registered in Baltimore, and over twice as many in the counties; and that the colored people of the State had contributed over $23,000 in the year preceding, while the city council had appropriated $20,000, for colored schools. When the political revolution came, there chanced to be no balance for salaries in Baltimore for the teachers of the colored schools. Some, if not all, of the colored ones kept on

teaching, however; one or two, who had some means, giving their services. Meetings were held by the colored people, and money contributed towards the school expenses. Finally, in 1868, the city paid the arrears, amounting to several thousand dollars, and the colored schools were continued, but with white teachers entirely. There were then thirteen colored schools, under twenty-nine teachers, with 1,312 scholars enrolled, and an average attendance of 1,012. The total cost of these schools for that year had been a little over $22,000. At that time, scholars who could afford it, were expected to pay a small sum, somewhat over a dollar a month, for the use of books, and it is interesting to note that of the 1,312 colored scholars, 944 paid over $2,800, thus reducing the cost of the schools by this sum. The 107 white schools had then 21,465 scholars, under 526 teachers. Of these scholars, 11,353 were pay, and 10,112 free. The total cost of the white schools was about $390,000. Of this sum, over $120,000 came through the State levy. Of the 11,400 odd scholars in the white primary schools, those nearest in grade to the colored, a good many more than half paid nothing. The school committee then estimated that primary schools were needed for about 3,000 colored children, and that these could be maintained, on the same grade as the white primaries, for some $55,000 yearly. Only $15,000 was appropriated by the city council, to be added to the local school tax paid by colored men. The year before, the superintendent of schools had stated that there were in the city over 8,000 colored youth between the ages of ten and nineteen. The republican leaders were in favor of better schools for the blacks, of course; while the conservative organ, the *Sun*, said: "Without taking into account any higher considerations, it is evident we cannot afford to let the colored people among us go uneducated. There is a duty to them as well as ourselves in the matter."

But for nearly twenty years there was little change to be noted in the colored school system in Baltimore. By 1879, the year of the first payment for colored schools from the

State school tax, one new school had been added, the number of teachers had grown from twenty-nine to eighty-nine, the number of pupils on the rolls was 4,398. The total expense of the colored schools was nearly $60,000, of which over $18,000 came through the State tax. The sum expended for white schools was over $540,000, of which some $121,000 came through the State tax. The total of white pupils in all schools was about 32,000; in the primaries, nearly 16,000. Of these primary schools, 3,863 were pay, and 11,905 were free; while of the colored scholars, now, only seventy-one paid. The average attendance of the colored scholars was from five to six per cent. below that of the white primary schools. Five years later, still, while the number of schools remained the same, the teachers had increased to 104, and the scholars to nearly 6,000; and the average attendance was almost as good as that of the white primaries. The white scholars had increased in greater proportion; although between 1870 and 1880 the colored population of Baltimore had grown more than the white, and was not far from one fifth of it.[1] The proportion of the State school tax for colored schools, based on a census of the whole population, was about one-sixth and a half; that of the total expenditure for colored schools was less than one-eighth—the white scholars paying for use of books some $47,000, the colored, less than $100. The total amount used yearly for current school expenses in the city had increased, in the five years, some $50,000. All the teachers were white, though colored teachers had been used in the counties from the beginning of the public school system, and had steadily increased in numbers until white teachers in the county colored schools were few. Several colored persons had already passed the school-board examination in Baltimore, but to no result. For years the colored schools were all primaries, but one had been made of higher grade, called a grammar or

[1] According to estimates, the white population has increased in greater proportion, recently; owing largely to the extension of the city.

colored high school. The building used for it, however, was in very bad condition, and there was evident need of new buildings for some of the other schools.

For years, a few colored leaders had been asking for better schools and for some colored teachers. Thus, for instance, a series of meetings was held in several of the colored churches in 1879. "The white teachers," said one speaker, "do not throw their hearts into the work. Go to Cumberland, Hagerstown, &c., and you will see justice done!" Another, a very well-informed man, of prominence, compared Baltimore to Charleston, S. C., St. Louis and Washington, and told how, in the latter city, five of the nineteen members of the school-board were colored men, how a colored man was principal of the colored schools, how there were ninety-two colored teachers, and how the average attendance of the colored children had been raised high. A few months later, in 1880, the irrepressible question, as the *American* called it, was raised again at a large meeting; resolutions were passed, giving thanks to the *American* and to the large number of liberal citizens who had befriended the cause; and a petition, with several hundred names, was prepared for the city council. In the Summer following, the chairman of the committee appointed, a colored clergyman, stated he had seen every member of the school-board, and that promises were given that, as soon as suitable buildings were found, colored schools should be opened, and colored teachers should have charge of them. And then more meetings were held. At one of these, a colored clergyman, principal of a colored school in Jacksonville, Florida, said that nearly all Southern cities were ahead of Baltimore in colored schools. "You must be up and doing, not merely talking," he added. At that time there were several colored candidates for teachers' positions, high on the school-board lists. After some postponements, the matter came before the school-board, which decided by five to three that it was inexpedient, from lack of means, to open the two new colored schools proposed six months before. But at the next meeting,

it was voted that the schools should be opened in rented buildings, in January, 1881. The temper of the board was said to be for trying the schools, and its faith was pledged to them.[1]

By 1885, however, nothing had been gained by the colored people, and the leaders felt as discouraged of getting any help from the city hall—wherever the check lay, in school committee or in city council, the result was the same—as they had of help from the State assembly in abolishing the black laws. The Brotherhood of Liberty, having already had the bar opened to colored men, then determined to try, through the courts, to have some colored teachers appointed, from those waiting on the school-board list, to provide in some way a proper high school for the more advanced colored pupils, and to have the colored grammar school removed from the building it then occupied, which was deemed unsafe for occupancy. Measures to this end were being prepared, when it was thought that the objects desired might be obtained by further application to the city authorities.

While the lead for better schools was taken, now, by the Brotherhood of Liberty, there was quite a movement among the colored people at large. It was increased by the intermarriage question which arose, at the same time, from the trial at Hagerstown. A Maryland Educational Union was formed, largely under the lead of one of the younger clergymen, and public meetings were held. The colored women were called upon to form auxiliary unions. Sums of money were pledged —in one case several hundreds of dollars—by colored men, should it be necessary to try to force the city authorities. It was stated that, by the school board reports, the colored schools would not hold 6,000, while the colored school population must be 14,000.

It is probable that a better means of moving the city authorities to act than all these meetings—in some of which politics were kept out with difficulty—was quietly going on

[1] See *American* for Sept., 1879. Sept. 22, 29; Oct. 6, 1880.

all this time, in attempts by several colored individuals to educate the children about them, where there were no schools. In 1885, a day school was opened in the little Patterson Avenue Baptist church, with some twenty scholars. The church gave room and fuel, the scholars paid ten cents a week each. The number soon grew to over 200. Beside this school, there were several private schools, at the houses of the teachers, in Northwest Baltimore; one kindergarten was soon established, encouraged by friendly whites; and night schools were held at the Biblical Centenary Institute, and at one of the Baptist churches. In these and other schools where teachers and pupils were of the same race, better work was done, the colored leaders claimed; as more sympathy and mutual interest was shown, and the work of the teachers went beyond the school-room into the homes and the churches.

Officers of the Brotherhood of Liberty, and those working with them, then asked the city for new schools, and interested some of the city government in their requests. So, early in 1887, the city appropriated $14,000 for land and $24,000 for a building, for a new high and grammar school. Curiously, a part of the ceiling of the old grammar school building fell during school hours, but a few weeks later; and this stimulated the colored leaders in their exertions. The council also passed an appropriation for a new colored school in Northwest Baltimore, but the mayor vetoed it, together with other things, fearing too much taxation. An ordinance was also proposed by one of the republican councilmen, that colored teachers should thereafter be appointed to all vacancies arising in colored schools; but the committee on education would not consider it, and the council rejected it. The vote in the second branch of the council was a party one, the republicans present being in favor of it, the democrats opposed; in the first branch, which was wholly democratic, it failed to appear. The next year, 1888, $7,000 for land and $18,000 for a building were appropriated for a new school in Northwest Baltimore; and a few weeks later was passed the ordinance that in all colored

schools thereafter established, colored teachers should be appointed, after passing the same examinations as are set for white candidates. The salaries were to be the same also. The objection to the ordinance of the previous year was now avoided by providing that in no case should white and colored teachers be employed in the same school.[1] Since then, $31,000 more have been appropriated for a new primary school. At the same time, a regular high school course with regular certificates of graduation, was secured for advanced colored scholars; and now those who finish the course with the same degree of proficiency as is required in the white female high schools, are eligible for the position of teacher, in certain school work, for ten years after graduation, like the white high school graduates.[2]

The new school in Northwest Baltimore is already in successful operation, crowded with pupils under colored teachers, while the nearest old primary school, which sent forth many to it, was at once filled up. The private schools continue, the one in the Patterson Avenue Baptist church, which was really the nucleus of the new school, having still some fifty paying pupils. There are still two small night schools under the patronage of the Centenary Biblical Institute. One, for instance, meets every Monday night, under a young colored teacher, and has grown to have twenty-two scholars, mostly adults living in the neighborhood of the Institute in West Baltimore, who pay each one dollar a term for tuition. A second kindergarten is now in its third year, having grown to thirty-five, all that the young colored teacher can accommodate in her house. The children pay forty cents each a month. At the time of the agitation for better schools, a few leading pastors in the African Methodist church tried to raise the means to establish a college for the higher education of colored youth of Wash-

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[1] Ordinance of May 3, 1888.

[2] The per cent. required at the examination at graduation, in order to secure a certificate to teach, is 85 for males and females both, while the per cent. in the white male high school is only 80.

ington and Baltimore, but there was no hearty response. Meantime, the old Baltimore colored normal school was continuing its good work, dating from the Freedmen's Bureau days, but now for years receiving assistance from the State. The Biblical Centenary Institute, and its branch in Queen Anne's county, maintained by the neighboring Methodist Episcopal conferences, has been training numbers of young colored men and women. Much good work has also been done in connection with one of the colored Episcopal churches, under white clergymen. The colored girls' home at Melvale, and the colored house of refuge at Cheltenham, are educating in mind and body some of those who need help the most. These two institutions receive State aid, but had their origin rather in private philanthropy than in public policy. When the Prisoners' Aid Society asked for the house of refuge, the legislature finally agreed to give a goodly sum for the foundation, if an equal sum could be raised by individuals. This was done, probably to the surprise of some of the legislators.[1]

The new colored high school is in a good central location. The graduation exercises of the first class to complete the regular high-school course, and thus to be eligible as teachers in Baltimore without further examination, were held at Ford's Opera House in June last. The democratic mayor, a republican congressman from Baltimore, several members of the city council and of the school board were present, amid a gathering of representative colored people. Congratulatory addresses were made by the mayor, the president of the school board and the principal of the school, and the address to the graduates was given by one of the prominent colored clergymen who had been a leader in the movement for the better

[1] The writer does not attempt to give more than mention of such excellent institutions, which sprang from the interest of white individuals, and whose maintenance is little due to the colored people. Some of the old republicans of Baltimore should put on record the work done here in freedman days. Much of interest of work among the colored people here is told in Rev. C. B. Perry's *Twelve Years Among the Colored People.*

schools. Seven young women and two young men were graduated.

For several years, conventions of the colored teachers had been held, but the movement seemed to meet with little sympathy from some of the local authorities and with little zeal from many of the teachers themselves. Several of the colored clergymen of Baltimore then took hold of the movement, and a teachers' association has been formed, which meets twice a year, to listen to papers and addresses on school work. In one county, at least, on the Eastern Shore, a teachers' institute for colored teachers has been held during several weeks yearly, for some years; and in one of the Southern counties the school commissioners have recently appropriated something towards the traveling expenses of colored teachers to the association. More zeal and greater regularity in attendance is hoped for. The ordinary teachers' meetings of the State public school system, have been open to all the teachers, but there have been some marks of dissatisfaction on the part of white teachers at the meeting of colored and whites together, and at the prominence which the colored minority are inclined to take unto themselves on such occasions.

To show how the colored people, in so far as their part is concerned, owe everything that they have gained to a few leaders, it is only necessary to quote one of their young but most prominent men, from the columns of a colored weekly paper. Early in the Winter of 1887, before the new primary school and the trial of colored teachers had been finally made sure, he wrote: "The Maryland Educational Union is either dead or sleeping . . . our people are too prone to grow tired in well doing." . . The "colored people are too spasmodic;" last Spring they were all zeal, now there is absolute indifference. This is a great discouragement to the few who have the supreme welfare of the people at heart!

For what they have received, the colored leaders are thankful. Most of them realize that they will only injure their cause by seeking too much at once, without regard to public sentiment. The Brotherhood of Liberty continues,

and has just had published a book which a white lawyer of Baltimore, a democrat by politics, has been preparing for them for several years. It is entitled Justice and Jurisprudence, and its aim is, in short, to draw public opinion to the belief that the recent decisions of the Supreme Court of the United States have departed from the aim and spirit of the fourteenth and fifteenth amendments to the Constitution; and that the example of a departure from the spirit of the law—a departure which public opinion now allows to exist against the interests of the colored people—may some day be followed to the disadvantage of other classes or interests.[1]

The history of the colored people of Maryland, in these twenty-five years, certainly teaches a few facts—facts which apply to some extent to all the Southern states.

First—all the circumstances under which freedom, citizenship and the franchise were given the blacks, tended to make the vast majority of the white people, among whom they were to live, especially averse to their progress as citizens. This dislike was naturally increased by the way in which the blacks as a people—who were to learn of citizenship by practice and not preparation—grasped the prizes offered them. The idea seemed to be abroad, that the exercise of right implied newborn faculties, and that custom which grows unseen by centuries can be changed in the twinkling of an eye. Yet the boyish enthusiasm of the blacks was as natural as the chagrin of the whites; the "day of jubilee" had come to them instead

[1] The writer of these notes does not wish to enter into any elaborate criticism of Justice and Jurisprudence. The book is interesting, and stimulating in places. But it does not sufficiently regard the exact state of public and party sentiment throughout the whole country, at the time of the adoption of the amendments and now—it often speaks of the amendments as if they had been free-will offerings of the people of the whole land. It is to be regretted also that the book is so voluminous. The same things might have been said in a book of half the size and selling for half the money—thus having more influence. Such use of quotations, of piece-meal extracts, may be questionable, too.

of the years of bondage. The inevitable result was that a reaction followed; the political career of the colored people was brief, and their way to legal equality was much hindered. Considering this, it is surprising that they have progressed as much as they have.

Secondly—there is among the colored people a growing class of men who see that the position their people are to take, among a larger people of more favored race, must come not by virtue of any laws but by their own virtue. The colored leaders are looking more for aid, from without, to the best men of the community without regard to party, and are trying to do away, within their people, with marks of childishness in political, religious and social life. "We have a reputation to build up," says one leader in Baltimore, "and full rights of citizenship to contend for, but far more urgently than these are needed reforms amongst ourselves, abuses to be restrained and frivolities to be suppressed." "I make the unqualified statement," said another, "that we as a race are not doing what we can for ourselves. . . . We cannot expect to pass up a royal highway, with glittering banners, to a goal of success. We must work, and persist and insist; we must organize, concentrate, agitate; we must economize, accumulate and have enterprise. . . . Such a course will make us stronger and command more respect for us." This class of leaders, the colored men of energy, thrift, public spirit and consistent zeal, is still very small. The great mass of the race do not think much and have little public spirit. "It requires no extraordinary observant eye," says a colored man who for thirty years has known all that has been going on among his people here, "to see that the great mass of the colored people of the country are drifting, drifting like a ship at sea without a rudder or captain. True, they have performed wonders since the emancipation, but that does not alter the fact." But the class of thinking colored men is growing, and there does not seem to be any reason why it should not grow. These leaders are mostly of much white blood; but they are not all so; and the majority of the colored people in this part of the country are fair in skin.

Thirdly—the number of white citizens who are willing to help the colored people to elevate themselves, especially in matters apart from politics, seems to be slowly growing. This may be much from motives of prudence, for the welfare of the community, rather than from philanthropy, but the result is the same.

Fourthly—if the colored man stays in the community, the exact place he is to fill in it must be determined by his white fellow citizens and himself. Forces from without may temporarily, but they cannot permanently, arrange such relations. As a Baltimore colored editor said when a Western colored editor called attention to the injustice done the colored people in Maryland: "Our judgment is that all these needed reforms in the various states and communities are to be wrought out by the people who reside in them. A healthy, just and equitable public sentiment must be created where it does not exist, by the advances of civilization and christianity, on the one hand, and the improvement of the condition of the colored people, on the other."

Fifthly—the colored people, as a people, have no more idea of leaving home, of migrating or being "deported," than the whites have. A few may go from the most crowded parts, some good missionary work may be done in Africa; but the mass of the colored men are here to stay.[1]

Sixthly—while any idea of social equality should be an idle fear—except to those who think that proximity in a public place creates necessarily some irksome social relations—all must frankly recognize that there is a strong feeling of caste on the part of the whites. Whether natural or artificial, or right or wrong, this feeling of caste exists. It cannot be hurried away by legislation. And so long as it exists, the

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[1] The work of the Maryland Colonization Society practically ceased years ago. Despite the earnest efforts of its officers, there was always room for more emigrants in its vessels—when slavery or the fettered position of the free negro was the only sure prospect before the colored men.

colored people must reasonably consider it, or they will hinder their own advancement.[1]

Lastly—the most intelligent colored men know full well that if their people in the course of time prove themselves to be unworthy of citizenship and a permanent menace to the welfare of society, that the weaker must give way before the stronger. What they want is help to do their best. "The colored race is an infant amid the civilization of the age," writes a colored editor, a prominent colored lawyer of Baltimore—"We are coping with the ancient problem of the survival of the fittest. Any people who fail in a struggle for equality or preëminence are lacking needed qualities of mind, soul or body . . . a race with small mental powers and the consequent inferior character, can no more exist in free contact with a superior people, than can man live amid the raging Vesuvius."

The answer to that "problem" which some persons are talking of, and which some politicians are agitating, with no good result to the colored men or to their white neighbors, is not yet to be finally given. It does not seem possible, however, that the majority of good citizens of our land will allow the colored people to be condemned before the testimony is all in, at a fair, unbiased trial. It is probable that the process which we have seen quietly going on will continue to go on—that the better class of blacks will strive to help themselves and the race more and more, and the better class of whites will help them to do so. It is but twenty-five years since the end of slavery; but fifteen years since the "reconstruction" days. Another reconstruction should be going on, a reconstruction of mutual duties on the part of whites and blacks, throughout the land. It is hard for men to take the lesson of those lines so often said, yet always so new—

> "New occasions teach new duties,
> Time makes ancient good uncouth."

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[1] We must expect conservatism, said a colored clergyman, but what we object to is prejudice—that is (to use his own words) "conservatism gone to seed!"

X.

THE STUDY OF HISTORY

IN

HOLLAND AND BELGIUM

JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE

HERBERT B. ADAMS, Editor

History is past Politics and Politics present History — *Freeman*

EIGHTH SERIES

X

THE STUDY OF HISTORY
IN
HOLLAND AND BELGIUM

BY PAUL FRÉDÉRICQ
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Authorized Translation from the French by Henrietta Leonard, of Philadelphia

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THE STUDY OF HISTORY AND GEOGRAPHY IN HOLLAND.

In June, 1885, Leyden celebrated the twenty-fifth anniversary of the installation of Prof. Robert Fruin, the most learned and most just of Dutch historians. His colleagues, old students and admirers from Holland, Belgium and the Dutch Indies, attempted to express in an informal ovation their high esteem and lively appreciation of the veteran. Finding myself at Leyden to attend the simple and touching ceremony, I made use of my stay in Holland to investigate the teaching of history there. The notes which follow, therefore, date back more than three years; but they have been brought down to the present moment, and I have completed them by investigations made in more recent visits.

I.

The Dutch law of 1876, regulating the organization of advanced teaching, provides that in the three State Universities at Leyden, Utrecht and Groningen, the Arts curriculum shall include the following historical subjects: (*a*) National History; (*b*) Universal History and Political Geography; (*c*) History of Jewish, Greek and Roman Antiquities. The last are taught by the professors of Hebrew, Greek and Latin. The remaining courses are divided between two professors, R. Fruin and P.

L. Muller at Leyden; Hecker and P. J. Blak at Groningen; but at Utrecht there is only one chair for all the branches of national and universal history, including ancient history, and that chair is occupied by Prof. J. A. Wijnne.[1]

The fourth university of Holland, that of Amsterdam, is not a State university, but a communal establishment. Its professors are chosen by ballot at the communal council, and the town of Amsterdam has exclusive charge of its budget. The curriculum is, with a few exceptions, the same as in the three State universities. Aside from the course in history and classical antiquities given by one of the professors of ancient philology, M. Valeton, Amsterdam, like Utrecht, has only one chair for national and universal history. This position is held by Prof. Th. Jorissen; but a course is given by Dr. Rogge, librarian of the university, as *lector*, a title equivalent to that of assistant professor in Belgium.

On the other hand, the teaching of geography is more complete at Amsterdam than at the other Dutch universities. This science has even a special chair, held by Prof. C. M. Kan, of European reputation.

Formerly, students of law and of theology had to take the historical course at the Faculty of Arts, and obtain the *testimonium*,[2] before taking the examinations in their own department. The law of 1876 remitted this, so that now the auditory of the history professors is composed of those students alone who are in the course for a doctor's degree in the Faculty of Arts. The doctor's degree is in Holland divided into five sections: doctor of philosophy, of classical literature, of Netherlandic literature (embracing Germanic philology), of Semitic literature, and of the literature of the Netherlandic Indies. But, strange to say, the Dutch legislature refused in 1876 to

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[1] In 1885, M. Wijnne treated in his course the following subjects: Polybius; the Gracchi; Louis XI and his times; the attempt of William II of Orange upon Amsterdam and the reaction of the struggle.

[2] Our old attendance card "avec fruit" for the courses "à certificat."

institute a doctorate in history, although the creation of this degree was unanimously demanded by all the universities. It is, therefore, not in Belgium alone that the government manages to make itself detestable in matters of higher education.

The result has been fatal to history in the Dutch universities. While the division in the doctorate gave a new impetus to study of literature and ancient and modern philology, history, cinderella-like, has led for the last ten years a miserable existence. She has no students of her own, as have the other sciences of the Faculty of Arts. She is only the servant of the others. The students for the degree in classical literature attend the courses in history and Greek and Roman antiquities;[1] those for the degree in Germanic literature pursue the course in national and universal history; but all, especially those in the latter category, are overloaded with other courses more important for them and cannot devote themselves seriously to history. How could one wish that a student should take time to dip into history and be initiated in scientific method by history professors when he is plunged into the comparative grammar of Indo-Germanic languages, mediæval Netherlandish, Sanscrit, Gothic or Anglo-Saxon or Middle High German, as the case may be?[2]

There is thus in Holland no special preparation, I will not say for historians, but even for future professors of history and geography in the gymnasiums and *hoogere burgerscholen* which correspond to the two sections of our Belgian athenæums. Such professors are recruited, as best may be, from the doctors or fellows in classical philology or Germanic literature. Indeed, have *they* not taken some courses in history that have, from time to time, interrupted their deep literary and philological studies? Sometimes, also, they are recruited from among

[1] The course in ancient history of Oriental nations is taken only by future doctors in Semitic literature.

[2] See the remarkable rectoral address delivered at Leyden, 8th February, 1878, by Prof. Fruin. (Over de plaats die de geschiedenis in den kring der wetenschappen inneemt. Leyden, Brill, 1878).

those masters of preparatory schools who, by private study, with the aid of manuals of geography and history, obtain a diploma from the examining commission appointed by the state and sitting every year. Some of these masters of schools have also pursued a one year's course in national or universal history at the universities.

We have followed the same plan, with a few exceptions, in Belgium. We must not forget that it was only in 1880 that M. Van Humbuck created at Liége, and in 1884 at Ghent, the normal sections in history and geography. For the teaching of history and geography in our athenæums we had up to that time contented ourselves with the doctors of philosophy and the fellows in philology from the Normal Classical School, whose preparation in history was absolutely insufficient. However, the point is not yet gained. Since the change of ministry in June, 1884, it is noticeable that for the chairs in history at our athenæums doctors of philosophy from Louvain are preferred to specialists trained by the normal history section at Liége.

But to return to Holland. From the preceding it appears clear that there is almost no scientific study of history among the students for the doctorate in arts. But, curiously enough, this poor science, reduced to impotence in the Faculty of Arts, has taken refuge in another faculty where one would scarcely expect to see it better received—in the Faculty of Protestant Theology!

Under an impulse from W. Moll, professor of ecclesiastical history at Amsterdam, a school of history has been formed in Holland which has chosen for its field of exploration the religious life of the Netherlands from the time of the first apostles of Christianity down to our own day. Calm impartiality and rigorous scientific method are still the appanage of its two principal pupils, Prof. J. G. R. Acquoy of Leyden and J. G. de Hoop Scheffer of Amsterdam. Prof. Acquoy has in his turn become head of a school at Leyden.

We know that the Dutch doctor's degree is almost equivalent to our Belgian *doctorat spécial.* It is not only necessary to undergo oral examination before the assembled professors, which constitutes, entire, our examination for doctor of philosophy; but it is necessary, aside from this, to present a dissertation and to defend a certain number of theses. The preparation of this doctoral essay becomes, with good students, a serious scientific enterprise to which they often devote a couple of years and from which a book of the first order often follows. But this work is done under the direction of the professors with whom the future doctor is more particularly connected. Thus the master enters into direct intercourse with the student for many months, as initiator in scientific method and guide through the maze of bibliography and accumulated erudition.

At Leyden, Prof. Acquoy has found, from time to time, a pupil who, in his doctor's thesis, has uncovered a new point in the National religious history. Silenced in the Faculty of Arts, history has thus found an unlooked-for asylum with the theologians. It will therefore be interesting to study historical teaching in the Faculty of Theology as well as in that of Arts.

II.

The university building at Leyden is a Gothic structure of red and white stone, formerly a nunnery. It is not large, but it does not lack charm and is picturesquely situated near an old bridge over a pretty canal, the *Rapenburg,* which is shaded on both banks by ancient trees. Entering the *Academiegebouw* one comes first to the imposing *Aula,* an old chapel, sparingly decorated in the most elegant style of the Dutch renaissance; then to the old staircase with its allegorical crayon-frescoes, religiously preserved, representing scenes in student life, the work of a Leyden man who is to-day a personage of note, M. de Stuers. On the second floor is the hall which contains a portrait of William the Silent, founder of the university,

and 150 portraits in oil of celebrated professors, such as Scaliger, Arminius, van der Palm and Thorbecke; and for the Flemings among the first masters of the sixteenth and seventeenth centuries read the Latin inscriptions in gilt letters underneath these venerable heads: *Walaeus Gandavensis, Bonaventura Vulcanius Brugensis*, as well as others who found a refuge in the emancipated provinces of the North and brought there their talent and their science, to be irrevocably lost to us in consequence of the triumphs of Spain in Belgium.

After visiting these historic halls the stranger is taken to three or four old auditoriums, one of which has fine Gothic vaulting, supported by handsome pillars.

But evidently this building is too cramped and too old for the requirements of a university of the first order, such as Leyden always has been and still is. Where then are all the courses given which are enumerated in the *Series lectionum in Universitate Lugduno-Batava?*

Formerly each professor had a large room in his house where he gave his lectures. The custom is not yet wholly extinct, but various laboratories and auditoriums have been built in divers parts of the town. Many of the courses in the Faculty of Arts are given in a modest but spacious house near the university, opposite the ancient church of St. Peter, where Count William of Holland, who was emperor of Germany in the 13th century, was baptized. In the Middle Ages Leyden was the capital and center of Holland, while Rotterdam, Amsterdam and The Hague were only second in rank.

Professor Fruin keeps to the ancient custom, and gives his lectures at his house. A few moments before the hour stated in the program, the door of the house is left open and the students enter one by one, passing through the corridor and gliding unobtrusively into the lecture-room. This room is a very simple one, looking out upon an interior court, and having for furniture only four benches and a chair painted in light yellow. Before the lecture M. Fruin had received me in his parlor, and chatted with that distinguished simplicity

and slightly cool reserve but charming good-nature, which characterize him. Then he drew out his watch, remarked that it was time, and opened a door leading into the bare hall where the students were waiting. I seated myself on the first bench and the lecture began.

M. Fruin occupies the chair of national history, to which he has for the last quarter of a century brought great renown. As this was the first time he had met his students since the demonstration in his honor, he began with a few words of acknowledgment to the young men who had joined in the celebration. Circumspect applause greeted this little preamble. Then M. Fruin entered upon the situation of the Republic of the United Provinces in 1660. There were nine students present.

M. Fruin stated and criticised the commercial policy of the Grand Pensionary de Witt, the intrigues of the diplomacy of Louis XIV, the attitude of England and the part played by William III of Orange. He frequently read extracts from contemporary writings, Mignet's *Documents de la succession d'Espagne*, and other collections. From time to time he paused to take in his hand a sheet of paper, upon which he had noted, in a cramped handwriting, the points he wished to make; then he began upon a new aspect of the question, always in a calm, even tone, like a judge pronouncing sentence, without studied expressions, but with admirable clearness and precision. It was evident that he was a master imparting the results of long research and cool meditation, without pretension or display, but with a serious simplicity which had in it something of solemnity.

The part which struck me most in this masterly lecture was that devoted to the situation of our Belgian provinces at the end of the seventeenth century. The Grand Pensionary de Witt dreamed of making the Spanish Netherlands an independent Catholic Republic, which would have been the sure ally of the Protestant Republic of the United Provinces. Before him Oldenbarnevelt had already had the idea of adding to the Protestant states an independent Belgium, having for

its Catholic *stadhouder* that other son of William the Silent, Philip William, whom the Duke of Alba had had brought up at the University of Louvain and who had received a Spanish education. In our day this Dutch diplomacy of the seventeenth century has been realized in its broad outline: Catholic Belgium lives side by side and on the best terms with Protestant Holland, and the two *stadhouders*, closely united notwithstanding their religious and political disagreements, are the Kings Leopold II and William III. M. Fruin developed his views clearly and cleverly, forcing nothing, making no words, with severe impartiality, even criticising the diplomacy of the United Provinces which Guizot and other contemporary historians have too much exalted at the expense of the French diplomacy, which was under Louis XIV the first in Europe.

The next day I took care not to miss the lecture, in which M. Fruin dealt with the commercial questions that played so great a part in the Dutch policy of that time. For this war of tariffs the professor referred to Clément's work on Colbert, which, although dating back already more than forty years, remains the most solid book upon the subject. Then he himself set forth with a profusion of picturesque details, figures and estimates, the vital importance to Holland of those prohibitive duties with which Colbert and Cromwell loaded the commerce and marine of the United Provinces. The Dutch merchants were not only better fitted out but also more clear-sighted than those of the rest of Europe. Proof of this fact is found in the writings of Pierre de la Court, the Dutch precursor of Adam Smith, in the seventeenth century, and in the numerous commercial reports of the times, which are preserved in the archives at The Hague. M. Fruin has studied them with scrupulous care and gave numerous extracts. He commented especially upon the opinions of Jacob Clouck, an Amsterdam merchant, who, in 1657, in a barbarous style, recommended free trade and summed up his views in the quite modern phrase: "*Het eenighe interest van Holland is vryheyt in de commercie.*" Less clearsighted and more selfish were

the councils of Amsterdam and Rotterdam, in which sat the rich patricians who had great interests in the traffic in French wines. M. Fruin drew a strikingly clear picture of the confused strife of opposing interests in Holland, France and England, using only trustworthy documents, many of which are, I think, known to him alone, and using them at first hand.

Listening to these admirable lectures I could not help feeling regret at the exaggerated diffidence which causes M. Fruin to resist all the entreaties of his friends and former pupils that he should publish his course. So much research, such an acquaintance with the documents of the time and with all the literature on the subject, added to an extraordinary faculty of discovering the truth, and stating it without partiality and with lofty simplicity, all these rare qualifications of the historian are not given to a man without imposing upon him the duty of using them to construct a great scientific edifice, especially when all the stones are ready. Since the fine book which established his reputation and brought him to the chair at Leyden (*Tien jaren uit den tachtig-jarigen vorlog*, 1588–1598), M. Fruin has produced only detached monographs, some of which are masterpieces, but which certainly do not give his full measure; for still more than his writings, does his oral teaching make one feel the master.

I was not able to attend the free course which M. Fruin has given, if I am not mistaken, every two years upon the history of national institutions. The first year he takes up the political machinery of the Netherlands in the Middle Ages and up to the sixteenth century; the third year that of the brilliant Republic of the seventeenth century; the fifth year that of the eighteenth century and to the present time. Here, too, he must have all the materials gathered for a capital work which would fill a real gap in the historical literature of Holland.

Prof. P. L. Muller occupies the so-called chair of general history, which, according to the law, includes also political geography. He is a pupil of M. Fruin, and M. Blok, who

occupies the same chair at Groningen, is another favorite disciple.

M. Muller divides his work into three courses. In one he gives detached chapters of the history of the Middle Ages and modern times (*capita selecta historiæ*), such as: the sources of Mediæval history up to Charlemagne; some parts of the life of the great Frank emperor; some episodes of the French Revolution of 1789. In the second he studies a single period of European history in modern times. In the third, he takes up political and historical geography.

When I was at Leyden in 1885, M. Muller, in his course in *capita selecta historiæ*, in which he had three students, was speaking of the French Revolution. He constantly compared von Sybel to Taine and clearly defined the amount of credence to be accorded to the principal historians of the great revolution. His practical advice to his students was to read, first of all, von Sybel's admirable book, then Thiers, Louis Blanc, etc., so as to note how partial the latter are. M. Muller frequently read long extracts from von Sybel in German, a proceeding which would be impossible with our Belgian students.

In modern history, M. Muller was occupied with the war of the succession in Spain. I heard him discuss the merits and defects of the great works of Mignet and von Noorden. The colonial policy of the seventeenth and eighteenth centuries, the decline of Spain, the conquests of Louis XIV and the state of feeling in Alsace, Flanders and Hainault at the time of their annexation, the toll-system, etc., were treated by the professor with great clearness and solid acquaintance with the subject. M. Muller often referred to the physical and historical maps, a rich collection of which was at his disposal. He had four pupils.

These maps naturally form an indispensable instrument of a course in political geography. M. Muller was at that time dealing with Brittany and the basin of the Charente. He related first, in broad outline, all the vicissitudes through which

the population of these regions had passed, from the Celtic period down to our day; he expatiated upon the commercial importance of the regions, as well as upon the Breton and Vendean ports, and presented a complete picture of the physical and moral situation of the country. This geography lecture was very full and very precise, evidently inspired by the method of Elyseé Reclus. Here, also, there were four students.

On account of the small number of auditors, almost all candidates for the doctorate in Netherlandic literature, these courses have quite a familiar character. They are given in a modest room in the first *êtage* of an old house formerly occupied by officers of the Dutch Indies and now rented to the University. A desk of wood, painted in imitation of oak, tables of the same color and a dozen convenient and comfortable chairs, together with the maps that tapestry the walls, constitute the furniture. Through the large windows can be seen the buttresses and high pointed arches of the church of St. Peter and the leaves of the trees which meet over the ancient church yard. One could fancy himself in a Flemish nunnery.

On the ground floor of the University, in a great Gothic hall whose arches rest upon elegant columns, Prof. Acquoy gives his course in ecclesiastical history. In spite of his white hair, M. Acquoy is still very vigorous, and is distinguished for his animated teaching, full of humor and good nature. I heard him describe the state of schools and libraries at the time of Charlemagne. There were about ten listeners, students of theology. The lecture was a charming chat, in which the most vast and varied learning reproduced with truly picturesque touches the intellectual situation in the West in the year 800. One would have thought a contemporary was speaking of what he had seen with his own eyes. After attending his lecture I understood the sympathy with which this modest and amiable scholar inspires his pupils, rosy as he is, freshly shaven and framed in his silver beard, with a courteous and cordial manner, an expression full of goodness, a delivery at

once engaging and sparkling with wit and fine fancy. Even more than his own books, the works of his pupils witness the productiveness and the value of his teaching.

III.

After Leyden I visited Amsterdam.

The university there occupies the monumental structure of the ancient hospital for old men, which contained the famous museum of Van der Hoop before the construction of the splendid Gothic palace where almost all the artistic wealth of the Dutch capital is now collected.

The faculty of arts has a beautiful professor's hall adorned with old portraits of Hooft, Vondel, etc. There I found Prof. Théodore Jorissen, who occupies the chair of history, and whose course especially attracted me to Amsterdam. M. Jorissen has not the teaching of geography among his functions, as have his colleagues in the three other Dutch universities. He gives two courses, one of which, history of the Middle Ages, extends over two academic years. In 1883–84 he had lectured on mediæval history up to the crusades; in 1884–85 he had treated the history of the crusades and was, at the time of my visit, finishing a detailed parallel between the preparation for monarchical centralization in France and the origin of parliamentarism in England.

I was present at three lectures. There were six students, who took a great many notes. M. Jorissen reviewed the history of the Great Charter of England in the thirteenth century and the history of France at the same period. He spoke in a vibrating tone, walking about in the hall. The room was furnished with a long row of ugly benches, painted black, as in our Belgian lecture-rooms. But the gloom of the room was lightened by a smiling view through the windows of a beautiful interior court, planted with great, leafy trees. M. Jorissen was nearly at the end of his course and gave his conclusions in broad lines, sketching roughly the principal facts,

to corroborate his view of this decisive period in France and England. He spoke almost without consulting his notes, pacing the hall and playing with his eyeglasses. His warm and earnest manner showed a man sure of his facts and a scientific temperament of energy and authority.

M. Jorissen devoted his second course to the history of Netherlandic institutions and extended it over two academic years. In 1883–84, after an introduction on the constituent elements of the people of the ancient Netherlands, he had given the history of their means of existence: agriculture, manufacture, commerce and shipping. Then he had traced the origin and development of the towns and provinces. In 1884–85 he was engaged upon leading institutions: States-General, Council of State, administration of finances, land and sea forces, diplomacy, *stadhoudérat*. In the two lectures which I attended he was dealing with the last subject. He traced the struggle, as much secret as open, which the jealousies of patrician families kept up against the house of Orange, characterizing clearly the role of de Witt and William III, bringing in the famous struggle of this great prince against Louis XIV, his armies and his diplomacy. As at Leyden it was the seventeenth and eighteenth centuries which played the principal part in the course on national history. M. Jorissen handled the subject with great clearness and with the seriousness which it deserves, delighting to hunt down ideas and scrutinize principles and pronouncing his clear judgments in energetic style. His course is fascinating and profoundly suggestive.

The librarian of the University, Dr. H. C. Rogge, completes this history teaching by a course which I could not attend, but which he described to me with the most amiable readiness. This course is given especially for those who desire to obtain the certificate (*acto van het middelbaar onderwijs*) for teaching history and geography in the *hoogere burgerscholen*, almost equivalent to the professional section of our Belgian athenæums. In 1885 M. Rogge had a dozen students. The course extends over two

years. In the first year it treats of subjects of general history. M. Rogge explains the methodology of history, neglecting the matter, and indicates for each period, summarily discussing them, sources and principal works. Twice a week he gives a lecture of two hours, with an intermission of fifteen minutes, during which the students rapidly look through the books of which the professor is going to speak and which he has had laid out for them upon a large table. As the course is given in the library, this is easy to arrange. The students thus make immediate acquaintance with the works whose value they are to learn—an excellent way of vivifying the bibliographical information which it is so difficult to fix in the minds of students. They turn over the leaves curiously, look through the table of contents and do not forget so easily the books they have had in their hands.

The second year M. Rogge goes more deeply into certain periods of universal history, for example: The Peloponnesian war, the Ottos, the emperors of the Holy Empire, William III of Orange in Holland and England, Frederick II of Prussia. At each lecture, after a brief statement of certain great facts, he gives details of the principal sources, names the great works, compares the methods followed by modern historians who have treated the same subjects, cites characteristic pages of their works, refers to important discussions which have appeared in special reviews, etc. During a pause of quarter of an hour the books and articles mentioned are again put within reach of the students. This system inspires them with a taste for historical reading, and they are all constant *habitués* of the library.

M. Rogge explained his original plan of procedure with quite youthful enthusiasm. I am convinced that he must exercise a strong influence upon his students, and that his course renders them valuable service.

Of the four Dutch universities, that at Amsterdam alone, has any complete geographical instruction, with a special titular professor. This professor is M. C. M. Kan, who gives to

the work eight hours a week. About twenty students take the course each year. They are chiefly candidates for the certificate for *hoogere burgerscholen.* Among them are also found students of law and medicine, who purpose to enter the service of the colonies, and occasionally one meets an amateur. These students have at their disposal the best maps, the most important special books, Dutch and foreign, as well as almost all the existing geographical reviews, which they find in the library of the University, together with all the collections and publications of the *Aardrijkskundig Genootschap* of Amsterdam. A little fee of eighty florins (about $34) is given to the professor, who has exclusive use of two large halls, one for lectures and the other for collections. The complete cycle of this geographical teaching requires not less than three years.

First there is a course in physical geography, two hours a week. For the first year M. Kan studies the earth from the point of view of orography, hydrography, geological formation and topography, and explains the principles of the lecture by means of charts. The second year he devotes to seas and coasts. The third year he takes up questions of ethnography and detached chapters of political and social geography, such as density of population, the characters of human races and their distribution upon our globe, the connection between physical geography and the political and moral condition of nations, colonization, religions and their influence upon the different human races, etc.

A second course of two hours a week, which is kept up for three years, is devoted to a deeper study of the Dutch colonies.

In a third course of two hours a week for three years, M. Kan gives a history of geographical discovery.

The fourth course, of one hour a week, is devoted to methodological exercises in intermediate teaching. The students learn to prepare and give lessons in geography of the grade given in the institutions where they will later teach.

The fifth course of one hour a week consists of meetings at which each student in his turn states the result of his personal

researches upon a subject given out six weeks in advance; for example: What is actually known of the Blue Nile? What are the best works upon this river and the best maps of it? The student's discussion must not last more than forty minutes; then the professor gives a detailed and severe criticism of it.

M. Kan, who is a doctor of literature and does not belong to the faculty of science, is assisted by colleagues from that faculty in the more special parts. Prof. J. H. van't Hoff gives a short course in dynamical geography, the constitution of volcanoes, their eruptions, the formation of glaciers, etc. Dr. C. Kerbert, *lector* of the University, gives some notion of botanical and zoölogical geography. Prof. D. J. Korteweg sometimes adds to this program a course in astronomical geography. To each of these courses one hour a week is devoted.

To sum up, the students who take geography at Amsterdam thus have, according to the year, ten or twelve hours a week in that science, which is completely excluded from higher teaching in Belgium, except at Liège, where it figures in the program as an optional course. It is true that there is also a course in commercial and industrial geography at the mining school at Liège and at the school of arts and manufactures at Ghent.

IV.

The preceding notes will suffice, I think, to give an idea of the state of history and geography in the Dutch universities.

We have seen that political and historical geography form part of the program of the Faculty of Arts at Leyden, Utrecht and Groningen, and that in Amsterdam the teaching of geography, in the hands of a specialist of unquestionable ability, is organized in a very remarkable and complete manner.

But history is undeservedly sacrificed. Excluded from the rank of a specialty with a doctorate, it has not a proper number of students. The discouraged professors, among whom

are scholars of the very first order, are contented with giving the theoretical courses which the law requires and cannot think of initiating into scientific methods hearers who are occupied with other things. In consequence of a mistake in the law of 1876 relative to higher teaching, a mistake which was, however, pointed out to the legislature in good time by the four universities, history seems condemned to remain sterile, while all the other departments of the Faculty of Arts flourish and bear fruit.

In 1879, the hope was for an instant cherished of putting an end to the ostracism of history from the higher teaching of Holland. At that time the minister, Kappeyne, presented to the Lower House of the States-General a bill, one of the articles of which created a doctorate in history.

In stating his motives, M. Kappeyne spoke concisely and very justly: "History occupies an important place in intermediate instruction. More than any other subject it needs professors who have a strictly scientific method. It is necessary that this instruction, which loses all its value if it be reduced to a mere enumeration of dates and facts, should be made in their hands an important factor of the intellectual development of the pupil. It must, therefore, be considered, if not a fault, at least an oversight not to have created a separate doctorate in history, when the law relating to higher education was passed.

"The Faculty of Arts and Philosophy consists of three categories of sciences: the philological, the philosophical and the historical. The absence of a doctorate in history is a deficiency in the provision of the law, and is perhaps only a mistake."

When M. Kappeyne's bill was discussed at the session of February 26, 1879, no objection to the creation of the doctorate was raised; but when the House voted upon the bill as a whole it was defeated by a majority, and the poor doctorate was buried, to wait for a new administration.

But is it enough to fold the arms and wait for the distant day when the law will be revised? Cannot the initiative of

a professor in part repair the fault committed twice in succession by the legislature?

M. P. J. Blok, professor of history at Groningen since 1884, thought it could be done. In 1885–86 he boldly opened a practical course (*privaat-college*) and renewed the attempt in 1887-88 with success.

The plan of this historical work is as follows: Once a week M. Blok meets the amateurs for a couple of hours in his study. After an introduction by the professor, which takes a dozen meetings and is devoted to an examination of the principal sources for the Middle Ages and to giving some notion of diplomacy, the students are each charged with the study of some special subject. In 1887–88 the subjects chosen were: the value of the chronicle of Alpertus Mettensis in regard to the events which took place near Nimeguen at the commencement of the eleventh century; the foundation of Dordrecht; the assassination of Count Florent V of Holland; the determination of the period at which the popular language began to be used in the charters of the Netherlands; the elevation of Count William II of Holland to imperial dignity. Each student gives in his work, written, and the professor hands it over to another student, who is charged to make a written criticism of it. Finally M. Blok himself criticises both manuscripts in presence of all the students and the disputed points are discussed in common.

In the intervals between the discussions, professor and students investigate in detail some point of local history. In 1887–88 this investigation bore upon the office of burgrave at Groningen in the twelfth, thirteenth and fourteenth centuries. The registrar of the province put at M. Blok's disposal all the documents in his depository and from these unedited papers the work of the course was done. The students copied the papers one after another as they examined them, and were thus initiated at the same time into paleography.

This practical course, which has each year consisted of about ten amateurs, has already contributed to form some specialists who have taken places in the administration of records.

Such is, I think, the true course, which it is necessary to accept boldly. To wait amiably till the House has acquired a precise idea of the scientific needs of advanced study is to lose precious time and to expect the impossible. The universities must be helped by the professors themselves, not by fatally incompetent legislators, whose votes are often more to be dreaded than to be desired.

In Belgium the professors of history are impressed with this truth. They have created practical courses which have raised the level of historical teaching. I am convinced that it will be the same in Holland, if the good example of M. Blok at Groningen is followed in the three remaining universities. In the course of the last two years, even in the very heart of the Faculty of Arts at Leyden and Groningen, there has appeared a phenomenon which seems to augur a better future for the scientific study of history: at Leyden there have been two doctors in Germanic philology, and at Groningen a third, who have treated historical subjects in their doctor's theses. The creation of practical courses in history seems thus to be inevitable.

THE STUDY OF HISTORY IN BELGIUM.

It can scarcely be said that advanced study of history exists in Belgium. This science, cultivated and honored as it is abroad, is by the Belgian law relegated to the course in philosophy; that is to say, history is studied in our universities only by students of the first year, who are generally very ill prepared and who for the most part are in haste to go through the Faculties of arts and philosophy as quickly as possible in order to begin law. Even the few pupils who do not leave the department at the end of several months and who are studying for a doctorate in philosophy, never hear history spoken of except incidentally in the courses in literature or languages and in lectures on Greek antiquities.[1]

This neglect of history during the years devoted to the doctorate in philosophy is one of the most shocking absurdities of our miserable law. It is hard to see what motive could have guided the legislator, if indeed the question so much as presented itself to him.

The teaching of history in the philosophical course is of necessity elementary. It comprises, moreover, only general courses in ancient history (Greek and Roman), history of the Middle Ages, modern history and, since Easter, 1880, contemporary history. Besides this, tradition establishes that the

[1] M. Vanderkindere (*Revue de Belgique*, May 15th, 1880,) has described the situation in a few words: "History is the Cinderella of the family; she is shut up in the department of philosophy and locked out of the doctorate."

professor shall cover the whole subject in a few lectures each year, thus reducing his teaching to a general statement, such as is found in manuals.[1] M. Michel Bréal, who has visited the Belgium universities and whose rare competency is well known, rightly said of our faculty of philosophy: "The professors are obliged to repeat almost the same course every year and they can scarcely rise above the level of the upper classes in our colleges."[2] Likewise one of our most distinguished professors of history, M. Vanderkindere, expressed what everybody is thinking when he said: "With us the professor is condemned to travel continually around the same circle; like a machine, he repeats the same work, perhaps for thirty years. Having once written his course, provided he keeps it up with the times, his work is done. For the man of science this is actual degradation; he loses his true character, which is that of creator and innovator, and falls with broken spirit from higher teaching to intermediate."[3]

There is nothing more disastrous in its effect both upon teachers and upon pupils. Says M. Paul Thomas,[4] the learned professor of ancient history at Ghent: "Let us suppose that a professor keeps carefully abreast of the times, does original work, makes discoveries; the most extensive and conscientious research will merely permit him to introduce here and there in his lectures modifications which will pass unnoticed by his students. The means by which he acquired the ideas and

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[1] M. Vanderkindere, in the article cited above, said further: "But at least the undergraduates have a better chance and their study of history is more adequate? Not at all. All the branches are crowded together into a single examination. The pupil studies ancient, mediæval, modern history and history of Belgium without stopping to take breath; he strides through this immense domain, where he ought to study the operation of the political and social evolution of humanity, with monstrous haste; he makes his 'tour of the world in eighty days.'"

[2] *Revue Scientifique*, August 2d, 1879. Reprinted in *Revue de l'instruction publique de Belgique*, Vol. XXII, p. 274.

[3] Article cited above.

[4] *De la réorganisation des Facultés de philosophie et lettres en Belgique.* (Ghent, 1880.)

the new facts will never occur to them; and, to tell the truth, it would interest them little and profit them less, since they have neither taste nor means nor time to undertake similar work. Nothing is more enervating to men of science, nothing more opposed to progress than this compulsory dogmatism. A man must be gifted with a great deal of energy to resist the encroachments of torpor, and to keep up his vigor and self-control."

This is so true that, as a rule, the professors of history in our universities publish less than do most of the archivists or even certain dilettanti.[1] There are even some who have never published anything at all, and who content themselves with imperturbably reading their notes to each new generation of students whom the years bring to their feet.

Why is it that the advanced teaching of history is so rigorous and scientific in Germany and at Paris, and so dead in our Belgian universities? From a multitude of causes, to be sure; but the principal one is that *practical* teaching of history is almost unknown among us.

Before setting out for Berlin in 1881, I was thoroughly convinced of the absolute necessity of practical courses in history, as is proved by my attempt to make one at Liége. My conviction has not been weakened by what I saw in Berlin, Halle, Leipzig, Göttingen and Paris; it has on the contrary become firmer, more eager still to see the teaching of history in Belgium regenerated by the adoption and generalization of the practical method.

The method indeed made its appearance some years ago in our higher courses, without noise, almost timidly and without attracting much attention from the government or the academic authorities. It has seemed to me interesting to note where

[1] M. Vanderkindere is struck also with this significant phenomenon: "In Germany all the great masters have their schools; in Belgium, for some strange reason, our most laborious and most authoritative historians, Wauters, Juste, Gachard, Kervyn, Hénaux, de Gerlache, etc., have never been professors; they are archivists, scholars, who have never trained a pupil."

this movement has taken place, which, though still modest will, if generalized, revolutionize the scientific study of history.

I.

Practical Course of the Normal Classical School at Liége (1852–1883).

My friend and colleague, M. Kurth, in 1876, called attention to the fact that it is to the Normal Classical School at Liége that we must look for the first embryonic existence in Belgium of those methods which have for fifty years constituted the chief power of the higher teaching of history in Germany.

M. Kurth gave an account of a visit he had made to the German universities in 1874. Speaking of the practical course of Prof. Droysen, at Berlin, he said: "M. Droysen, in his Historical Society, keeps to written works because they seem to him to give more consistency to study and something to start from; they more easily furnish an object of discussion; they show better a pupil's degree of power, as well as his scientific aptitude; and they allow his fellow-student to profit more by his work. The correction of this work is entrusted to another pupil who, under the professor's direction, criticises its errors and discusses it with the author at the next meeting; hence arise controversies that are often very animated, in which each one present may take part and which present an appearance of real scientific life. I may remark that this method is likewise followed in our Normal Classical School, an excellent institution which rivals similar ones in Germany and France and which, though not perfect, could often serve as a model for reforms in our universities."[1]

A royal order of September, 1852, had hardly detached the Normal School from the University of Liége, making it an

[1] *Revue de l'instruction publique en Belgique*, Vol. XIX, p. 89.

independent institution, with a three years' course, when in October following, a ministerial order inserted among the practical courses of the third year, "essays and exercises upon historical subjects (two hours per week during the entire year)."[1] This practical course in history, an unprecedented innovation for Belgium, was given to the charge of M. Borgnet, professor of history at the University of Liége, and he retained it until 1872 when he was declared emeritus. Beginning with 1856, a fourth year having been added to the Normal School course, the practical work in history was carried on through this last year. The object was to send out from the school professors fitted to teach history in the athenæums and colleges.

This was an insufficient preparation for good professors of history. Finally the Government comprehended the fact. In 1880 a special section for history and geography was created in the Normal School.[2] But the course in "essays and exer-

[1] Triennial Report upon the state of intermediate teaching in Belgium, 1852–1854, p. 219.

[2] By a royal decision of Nov. 9, 1880, confirmed by a ministerial decision of the following day. So far as I know, the government did not consult a single professor of history before creating this history section at the Normal School. Thus, it is very incomplete. It consists of but a two years' course, which is entirely insufficient. It teaches neither paleography, diplomacy, epigraphy, archæology nor the history of historiography. It possesses no practical course organized by the government; it is only another course of historical essays and exercises upon the Orient, Rome and Greece, like that of 1852.

It is true that the students of the history section have been privileged to attend my practical course at the University. I was much flattered by the honor, but as my course is free and independent of official sanction, I can close it to-day or to-morrow and, in strictness, refuse to admit the pupils whom the minister has bestowed upon me without consulting me. The University of Liége has another practical course in history of the Middle Ages (M. Kurth's) to which it would be useful to send the pupils of the Normal School history section, who are truly not injured by practical exercises.

In any case, it is imperatively necessary to proceed to the complete reorganization of the history section, which is still only a rough attempt. As it is, the students are overloaded with work, literally overwhelmed during the two years; they leave the school just as they have begun to see a little into the methods of history and to get some benefit from their study, which may be compared to forced culture.

cises upon historical subjects," instituted in 1852, remained for more than twenty years the only practical course in history which Belgium possessed.[1]

I took this course the last year of Prof. Borgnet's career. The regretted scholar had devoted himself especially to modern and national history; his fine works upon Belgium at the end of the eighteenth century, and the revolution at Liége in 1789, are well known, but he paid little attention to ancient history. Nevertheless the practical course was confined entirely to Greek and Roman antiquity, probably for the sake of indirectly subserving the principal studies of the Normal students, who put classical philology before everything.

My personal recollections of what the course was in 1870–71, are as follows: We recited in turn, and orally, the principal events of Greek and Roman history according to Curtius, Mommsen, Duruy, etc. The professor, who was not a specialist in ancient history, did not require of us personal and critical investigation, so that these exercises in "historical elocution" were not a very scientific influence. Every three months we had to write an essay upon some subject from ancient history indicated by Prof. Borgnet. These essays, corrected by a student under the direction of the professor, were not objects of very deep study.

In short, this practical course left something to be desired. How much more fruitful it would have been, on the contrary, if Prof. Borgnet had made us work upon those epochs whose sources and vexed questions he knew so well. However, notwithstanding their insufficiency, these historical essays and exercises were a hundred times better than nothing, for they required personal work and tended to rouse the critical spirit far more than any theoretical course in history at the Faculty of Arts.

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[1] Through an unjustifiable administrative eccentricity, the Normal School is confined to intermediate teaching; its organization and its spirit would class it with institutions for higher teaching.

In October, 1872, Prof. Troisfontaines succeeded Prof. Borgnet, and since 1880–81 these practical exercises have been taken by the students in the history section, and those of the fourth year in ancient languages. I give a short summary of the working of the course for the last few years under Prof. Troisfontaines. Each week some designated student discusses for about an hour, with the aid of a few notes, a subject which may be either chosen by him or indicated by the professor. His fellow-students and the professor take notes upon what he advances so as to put objections to him at the following meeting. This meeting is devoted entirely to the critical discussion, the students making their observations first and the professor afterward complementing, correcting and explaining the weak points. The questions thus developed orally for an hour bear upon the prehistoric period (two or three meetings), history of the East, of Greece and of Rome. For the Stone Age and oriental history they depend upon the principal works of recent scholarship. For Greece and Rome the student is obliged to go to the sources, citing them and discussing them. Some of the subjects of the last few years are as follows: Man during the Stone Age; the primitive Aryans; Brahmanism; Buddhism; Mazdeism; character of political and social institutions of ancient Egypt; character of the institutions of Vedic India according to the recent work of M. Zimmer (1880); Greece in Homeric times; the league of Delos and the tribute of the allies according to inscriptions; the career of Theramenes according to Thucydides, Lysius, etc.; ancient currencies; Philip of Macedon; Alexander the Great; Greece in the time of the Romans; the origin of Rome; Mommsen's view of Caius Gracchus; Mommsen's opinion of the character and reforms of Sulla; Mommsen's judgment of Cæsar; Gaul before the Roman invasion; the principal Roman emperors (several meetings).

Every three months each student produces a written paper upon a subject of his own choice or one suggested by the professor. The professor furnishes necessary hints in regard to

ancient sources, Greek and Roman inscriptions and modern works upon the subjects. If there is occasion he acquaints them with inscriptions recently discovered.[1] The style of the papers must be very clear and careful; all rhetoric and all generalization without proof is severely rejected. Corrections are made in common under the direction of the professor.

I cite here some of the subjects of the papers during late years: Critical history of ostracism; The career of Cleon, taking account of the comments of Aristophanes and Thucydides; Since what time were the Archons chosen by lot? Does the silence of certain ancient writers (Herodotus, Xenophon and Aristotle) permit the argument that equality of property never existed among the Spartans? Till what time did the government called that of the Five-thousand last at Athens? What was the essence of the reform of Clisthenes? How far can Attic comedy be taken as a source of history? Debts of the plebeians in the early days of the Roman republic; Critical study of the life of Nero according to Tacitus; Did Nero set fire to Rome? How far are the accusations against Julia Domna to be believed? Find all that concerns her in the inscriptions.

The professor, from time to time, conducts also a critical analysis of ancient sources, such as the first book of Livy, and the lives of Tiberius and Nero in Tacitus.

M. Troisfontaines has, besides this, since 1880–81, given a course in historical methodology, consisting of about ten lectures upon sources, laws of history, rules of historical criticism and the sciences auxiliary to history.

Such is in brief the origin and development of the "essays and exercises" organized thirty years ago at the Normal Classical School at Liége. But this institution is entirely dis-

[1] M. Troisfontaines, in 1872, requested the establishment of a course in epigraphy at the Normal School. In 1881–82 M. Adolph de Ceuleneer, now of the Faculty of Philosophy at Ghent, gave a free course on epigraphy at Liége, with great success. The normalists attended it well. In 1882–83 he introduced the same instruction at Ghent with equal success.

tinct from the University at its side and does not at all relieve the administration of advanced instruction. Since its establishment in 1852 it has been attached to the administration of intermediate instruction.

It is, however, the only state institution in which the government has itself organized a practical course in history. I am sure it was done without premeditation in 1852 and that the government is entirely innocent of the good results thereby produced.

II.

Prof. Kurth's Practical Course at the State University at Liége (1874–1883).

The honor of having introduced the practical course in history into our universities belongs to my colleague at Liége, M. Godefroid Kurth, professor of mediæval history. In consequence of a visit made to the universities of Leipzig, Berlin and Bonn,[1] he started in 1874–75 the first course of practical historical work attempted by a Belgian Faculty of Philosophy. After two years of experiment he gave us the course as it is to-day.

Prof. Kurth aimed to exclude weak and mediocre members and considered five or six students the maximum number. The students engaged to remain faithful to the work for at least two years, but they did not all keep their word; several, however, followed the course for three and even four years. All the members were university students, in the arts, for the doctor's degree, or in law. The class is divided into two sections, each section meeting once a week for an hour and a

[1] See M. Kurth's interesting notes upon his visit, published in the *Revue de l'instr.* (1876, Vol. XIX, pp. 88–100), entitled *De l'enseignement de l'histoire en Allemagne.* He speaks specially of the practical courses of Voigt, Wuttke and Brandes at Leipzig; Nitzsch, Ern. Curtius and Droysen at Berlin.

half or two hours. The meeting of the second section lasts sometimes three hours. The strictest attendance is required, and if a pupil is obliged to be absent he must inform the professor beforehand.

In the section of beginners the course is essentially the same every year. There is first an introduction by the professor in regard to the nature and aim of the practical work. M. Kurth then states the fundamental principles of historical criticism, chiefly according to the excellent dissertations of the Jesuit Father De Smedt, lately collected into one volume.[1] He then gives a general idea of the bibliography of history, as well as more precise information in regard to the bibliography of the subject to be taken up the following year in the advanced course. After this introduction the first work in analysis of sources is begun. Each lecture is divided into two parts: first the professor gives certain bibliographical hints and criticisms; then they go on to the analysis and critical discussion of some document or source of history presented by a pupil who has been designated beforehand by the professor and has prepared himself at leisure. Toward the end of the year the students sometimes write little critical papers. In 1882–83 M. Kurth allowed his best pupil, M. Henri Pirenne, to give this entire preparatory course under his direction.

In the second section they take up a special subject for thorough study, investigating all the sources. Each view of the question is made the topic of a written paper, either by a student or by the professor. Some of the subjects thus studied since 1874 are as follows: Critical studies upon the sources of history of Lotharingia; upon the sources of history of the Barbarians; upon the hagiography of Liége in the seventh and eighth centuries (for two years); upon sources of history of the district of Liége (for three years). Next year (1884) M. Kurth proposes to take up the sources of history of Char-

[1] *Principes de la Critique historique.* (Liége and Paris, 1883.) I cannot too strongly recommend this book to all young students of history.

lemagne. The memoirs which M. Kurth has published upon St. Remacle,[1] St. Lambert,[2] Gregory of Tours,[3] St. Servais[4] and the origin of the city of Liége[5] were first written in view of this course and read to his students.

Two of the students have published studies worked out in M. Kurth's practical course: M. Leon Lahaye, an essay upon "The Normans in the Diocese of Liége;"[6] and M. Henri Pirenne, a monograph upon "Sedulius of Liége."[7]

I give also some detailed information upon M. Kurth's excellent course, leaving to one side the preparatory section. In 1875–76 the advanced section consisted of only two students, but they were full of zeal. The work was upon the sources of history of Lotharingia. They made special study of the principal annals, such as those of Fulda, Laurisheim, St. Vaast, St. Bertin, Prudence of Troyes, Hincmar and Réginon from the point of view of the events which have had Lotharingia for their theater. It was in connection with this course that M. Lahaye, one of the students, wrote the study upon the invasion of the Normans into the diocese of Liége, which was afterward published. The second pupil in the course gathered the materials for a monograph upon Hugh, natural son of Lothair II, but the work was never put into writing.

In 1876–77 the class consisted of seven students. The year was spent upon the sources of history of the Barbarians.

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[1] *Notice sur la plus ancienne biographie de St. Remacle.* (Report of the royal historical commission, 4th series, Vol. III.)

[2] *Étude critique sur St. Lambert et son premier biographe.* (Report of the Archæological Academy of Anvers, 1876.)

[3] *St. Gregorie de Tours et les études classiques au VI^e siècle.* (*Revue des questions historiques de Paris*, October, 1878).

[4] *Deux biographies inédites de St. Servais.* (Report of the society of art and history of the diocese of Liége, I, 1881.)

[5] *Les origines de la ville de Liége.* (*Ibid.*, Vol. II, 1882.)

[6] *Revue de l'instr.* (1876 and 1877, Vol. XIX, pp. 396–406: Vol. XV, pp. 20–26 and 116–124).

[7] *Memoires in* 8o *de l'Académie royale de Belgique*, 1882, Vol. XXXIII, 72 pp., with fac-simile.

They analyzed together, critically, the chapters I to XXVII and XXVIII to XLVI of the *Germania* of Tacitus; Jornandès on the Goths and Jornandès and Ammien Marcellin on the Huns; Priscus upon the Camp of Attila; passages from Gregory of Tours upon the Franks before Clovis and the period of Clovis and his sons; extracts from Paul Diacre upon the Lombards; Bede upon the Anglo-Saxons, Saxo Grammaticus upon the Scandinavians, besides parts of the *Lex Salica* and other Barbarian laws, and the life of St. Martin by Sulpicius Severus.

In 1877–78 the advanced section consisted of six students.[1] M. Kurth first gave a series of lectures upon hagiographical literature as a whole, and upon that of the seventh century in Gaul more specially; upon the general character of these hagiographical documents, their historical and literary value, and upon hagiographical usage. The class then went on to the *Vita Lamberti*, which was the subject of the course. This manuscript they studied in common and most thoroughly. The professor opened each lecture with remarks, bibliographical, critical and historical, upon the part of the text which one student had prepared, and then the latter explained it under the direction of M. Kurth. Besides this work, the following subjects were treated by the students in written papers: The historical value of *Vita Theodardi* and the date of its composition; The history of the foundation of Stavelot and Malmédy according to maps of the seventh century and *Vita Remacli*; The meaning of the word *Francia* from the eighth century to the tenth, studied from historical geography; Criticism of M. Bonnell's

[1] The preparatory section (five members) was particularly good this year. Their analyses were of *De moribus Germanorum* of Tacitus, *De rebus Geticis* of Jornandés, Cæsar compared with Tacitus respecting the Germans, *Historia ecclesiastica Francorum*, by Gregory of Tours; *Vita Karoli Magni*, by Eginhard. Besides this, the students studied in turn the following subjects: Gregory of Tours, the letters of Avitus and Aimoin (their respective values as sources of history of Clovis), Eginhard and the monk of St. Gall (as sources of history of Charlemagne), sources of the legend of St. Ampoule (transformation and successive additions since Gregory of Tours).

new theory of the Condrusian and Ardenian origin of the Carolingians. These essays were weak, except one which was good but incomplete.

The years 1878–80 were devoted to the study of the hagiography of Liége in the seventh and eighth centuries. A critical analysis was made of the principal lives of saints of the province of Liége. (The four lives St. Lambert, the lives of St. Théodard, St. Hubert, St. Servais and St. Remacle with the *Miracula.*) Then they studied cursorily the chronicles of Hériger and Anselm, paying special attention to those relating to Notger. They worked upon a manuscript of Hériger belonging to the abbey of Averbode. This was a preliminary study for the deeper and more special work done upon Hériger and Anselm and Gilles d'Orval in the years 1880–83. There were a half-dozen students.

In 1880–81 Prof. Kurth began with an introduction upon the historiography of the province of Liége, especially before the tenth century. He closed this preliminary course with a literary and historical study of Hériger. Then followed an analysis of the whole chronicle of Hériger, determination of the sources from which he drew and comparison of them with the chronicle itself. The principal subjects taken up in this connection were: The *Vitæ* of the saints Euchaire, Valeria and Materna, and the parts of them used by Hériger; critical study of the value of the list of bishops of Tongres before St. Servais, given by Hériger; examination of the documents relating to the biography of St. Servias which the chronicler used; critical study of the life of St. Amand de Baudemund and other documents relating to this saint; critical examination of the oral traditions accepted by Hériger upon the life of St. Jean l'Agneau; critical study of the life of St. Remacle and its various corrections.

In 1881–82, the work was upon Anselm, the successor of Hériger, and the later interpolations of Gilles d'Orval. To this course belonged M. Henri Pirenne's memoir of *Sedulius de Liége.* Another pupil studied the life and works of Bishop

Rathère. Others were engaged in making critical study of the documents relating to the life of Notger, of St. Ébrégise. The plan followed was analogous to that adopted the year before with Hériger. The professor studied with the students the original manuscript of Gilles d'Orval, preserved at the Library of the Seminary of Luxembourg, and the manuscript of Hériger and Anselm, kept at the abbey of Averbode.[1]

In 1882–83, the class studied together the original part of the chronicle of Gilles d'Orval, that is, the third book, from the point of view of the prince-bishops of Liége, Théoduin, Henri de Verdun and Otbert. After an introduction by Prof. Kurth upon Gilles d'Orval and his sources, they examined his chronicle as a whole, and then made a critical reading of the parts relating to the three reigns mentioned above. With this was connected some critical study of the anonymous document relating to the history of the transference of the relics of St. James to Liége, study of the epitaphs of the bishops of Tongres, Maastricht and Liége before the twelfth century; of Stépélinus de St. Troud and his *Miracula Trudonis* (eleventh century); of ecclesiastical serfs at St. Troud, according to the chartulary of the abbey, published by M. Piot; finally, of the origin of communal life in the country of Liége.

Four students were appointed to write monographs upon these different questions. They will be examined in the course of next year (1884). M. Kurth is thus going to give his students work in practical paleography upon manuscripts in the library at Liége and he will apply himself to determining their principal diplomatic objects. Thus the great Passionary of St.

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[1] M. Henri Pirenne is now preparing an edition of this last MS. under the direction of Prof. Kurth.

M. Henri Pirenne, now professor at Ghent, has since 1886 conducted a practical course in national history of the Middle Ages. One of his pupils, M. Huygens, has, under his direction, just published a study upon the historical value of the chronicle of Gislebert de Mons. (*Revue de l'instr.*, 1889.)

Troud (fourteenth century) and several other manuscripts have been the subjects of united study.[1]

This double practical course of Prof. Kurth's is, without question, the most complete of those thus far attempted in Belgium. It has been at work nine years already without interruption. I will not add any eulogy; it would be quite superfluous.

III.

Practical Course of M. Vanderkindere at the Free University of Brussels (1877–1879).

In 1877–78 Prof. Vanderkindere, the well-known author of the fine book upon *Le Siècle des Artevelde*, organized a practical course in history at the Free University of Brussels and carried it on for two years. Students were admitted only after having taken Prof. Vanderkindere's course in national history. At first a dozen students undertook the work; six remained faithful to the end. An hour and a half each week was required. The subject of the course was study of communal charters of Flanders and Brabant from the twelfth to the fourteenth century inclusive, examined with a view to public institutions. The professor took up especially the comparison of charters of the same commune, so as to disentangle from them the history of the development of Flemish and Brabantine institutions.

Since 1879, to the regret of all friends of historical studies, Prof. Vanderkindere has found it impossible to continue his practical course.

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[1] Since 1883 Prof. Kurth has continued his practical course and in 1888 published the first number of *Dissertations académiques*, written by his students (Liége, Demarteau), and containing: I. *The author of the lives of Saints Amato, Romarie, Adelphe and Arnulf*, by Émile Dony; II. *Biographical Study of Eginhard*, by Eugène Bacha.

At Liége my successor and former pupil, Prof. Eugène Hubert, in 1884 opened a practical course in national history (18th century, Maria Theresa and Joseph II).

IV.

Practical Course of M. Philippson at the Free University of Brussels (1879–1883).

A colleague of Prof. Vanderkindere, M. Philippson, formerly a professor at the University of Bonn, has happily taken up the interrupted work. At first, during the winter semester 1876–80, he devoted the course to paleography. Of the forty who began the course fifteen completed it, ten of them being students and five amateurs. After an introduction upon the history of writing in general and Latin paleography in particular, M. Philippson traced the variations of the alphabet up to the fifteenth century, by means of practical work upon the *Schrifttafeln* of Prof. Arndt of Leipzig and manuscripts in the Royal Library at Brussels. He sometimes took his students to the library to examine Latin manuscripts, teaching them to determine the date and nationality upon brief inspection.

During two semesters of 1880–81 M. Philippson repeated his course in paleography, developing the theoretical part and extending the practical exercise. The course then began with about twenty members and ended with nine, all but one of whom were students.

In 1881–82 M. Philippson directed a practical course in history, with a view to the complete seminary of history which the Free University of Brussels purposed eventually to create.[1] During the winter semester he laid down, as an introduction, the general principles of historical criticism. Then the course was directed to the comparison of the principal

[1] See M. Philippson's article, *Une nouvelle institution à l'Université de Bruxelles* in the *Jeune Revue* (1881), the organ of the Brussels students. The review has since been replaced by the *Jeune Belgique*, which (December 15, 1881) contains a short notice by a pupil of M. Philippson's practical course. It shows lively appreciation of the learned professor's efforts in giving his pupils "the guiding thread through the vast labyrinth of history."

historians of the first year of the French Revolution of 1789—Mignet, Thiers, Michelet, Quinet, Sybel, Carlyle, Ranke and Taine. The first object was to discover the spirit of each author, grasp the principles and ideas which guided him and define his characteristics and defects. This done, they proceeded to study more closely certain important events of 1789, especially those of the 5th and 6th of October at Versailles, and the origin of the war of 1792. They met for two hours each week. About fifty became members at the outset; forty continued through the first theoretical lectures by the professor. In course of the practical exercises the number gradually diminished to nine, who remained faithful to the end, and did serious work from the first day to the last. Each of the nine wrote a critical study upon the events at Versailles (5th and 6th October). Most of the essays were, of course, mediocre or bad; but there had been good work done; two were remarkable. One of the essays, written by the eldest student in the course, was distinguished by great perspicuity, and had, as M. Philippson assures me, so much value that it would not have disgraced a good historical review. With one exception the nine faithful students were comparatively mature; they had passed their examinations in philosophy, and some were even studying for the second doctorate in law.

During the summer semester of 1881–82, the practical course had eight members, who completed it. The time was devoted to the study of some disputed questions attached to the history of the first crusade. They first attempted to judge between Tudebod and the anonymous author of *Gesta Francorum*, as to which was the imitator of the other. Then they examined Albert d'Aix to determine what degree of credence can be accorded him. Their conclusion was that, in regard to the first crusade, Albert usually limited himself to relating popular traditions; in this connection they distinguished the different current traditions which are to be found in his chronicle.

The professor sought to secure, as far as possible, the direct intervention and initiative of the students. At the end of the semester they chose, with M. Philippson, subjects for written work to be done during the long vacation.

At the beginning of the next semester (1882–83), M. Philippson received two remarkable monographs upon the election of Pope Clement V. The excellence of one of them was particularly striking.[1] At the same time he received three or four others, a great deal weaker—some upon the campaign of Frederic Barbarossa in Lombardy (1176), others upon Ravaillac's confederates. These papers were first examined and criticised by a fellow-student appointed to the work, then by the professor, who permitted absolute freedom of discussion.

For the winter semester of 1882–83, the subjects of the course were Sully's *Memoires*, and the question of the famous "*grand dessin*" of Henry IV. The summer semester was devoted to the study of the actual causes and circumstances of the murder of Darnley. They worked from the sources.

At the end of each semester, M. Philippson required each student to develop, in his turn, his view of the subject treated, thus obliging them to give continual attention to the work, to take notes and, above all, to think for themselves. He took every occasion to recall and apply the principles of criticism which he had briefly laid down in the beginning.[2]

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[1] M. Philippson informs me that he intends to publish the better of these two works, as soon as he shall have collected others of equal strength, written by his students.

[2] Prof. Vanderkindere and Prof. Philippson have continued their practical courses since 1883. They have just published the first number of the works of their students under the title, *Free University of Brussels. Record of the Faculty of Philosophy and Arts.* It contains: I, *The Election of Pope Clement V*, by M. Léon Leclercq; II, *Critical Essay upon the Chronicle of Albert d'Aix*, by M. Francois Vercruysse; III, The "Wergeld" of the free Romans in the dominion of the Ripuarians, by M. Louis Wodon. I and II come from Prof. Philippson's practical course; III, from Prof. Vanderkindere's.

This practical teaching of M. Philippson's, first in paleography and afterward in mediæval and modern history, holds a distinguished place among the rare attempts of the kind in our universities. A historian, whose books carry great authority, and formerly a professor in one of the best Prussian universities, M. Philippson has deserved well of Belgium for initiating the students of Brussels into the scientific methods honored by the scholars of Germany.

V.

Practical Course of Prof. Fredericq at the State University of Liége (1880–83).[1]

I may be permitted to mention here, in chronological order, the practical course in history which I have directed at the University of Liége since the academic year 1880–81.

Fourteen pupils at first presented themselves, of whom six belonged to the course in philosophy, five to the normal school and three to the law school. About half went through the year. The subject of the course was the Inquisition in the Netherlands in the 16th century. I first devoted a few lec-

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[1] In 1884 I was transferred to Ghent. Since then I have opened a practical course upon the sources of history of the Inquisition in the Netherlands. The *Corpus Inquisitionis Neerlandicae* (1880) is the first fruit of the course; it is the collective work of professor and pupils.

The published works of my practical course at Liége are as follows: First number (1883); I, *The study of history in Belgium* (the present work) by Paul Frédéricq; II, *The birth and maternal ancestry of Margaret of Austria*, by G. Crutzen; III, *The edicts of the prince-bishops of Liége in regard to heresy*, by H. Lonchay; IV, *The teaching of the Calvinists at Ghent*, by P. Frédéricq; V, *The treaty of 1339 between Flanders and Ghent, renewed in 1578*, by P. Frédéricq.

Second number (1884); I, *The policy of Gérard de Groesbeck*, by Henri Pirenne; II, *Fray Lorence*, by A. Journeg; III, *The Inquisition in the Netherlands in the 16th century*, by E. Monseur; IV, by E. Hubert.

tures to a theoretical introduction, treating of the object of practical courses, the ideas and legislation of the sixteenth century in the matter of heresy, and the principal sources (bulls and edicts, documents of the records, pamphlets of the time, memoirs and chronicles of contemporaries, more recent historians).

Certain students then presented analyses of the principal works of Gachard and Henne and other contemporary specialists relative to the Netherlandic Inquisition. Then we passed on to critical and detailed study of the text of the bulls *Exsurge, Domine* (1520) and *Decet Romanum pontificem* (1521) of Pope Leo X, of the imperial edict of Charles V given at Worms the same year, and the broadsides published against the Protestants of the Netherlands by Charles V in 1526, 1529 and 1531. We studied likewise the part played by lay judges and inquisitors according to the papal bulls of 1542 and 1551, the famous *Instructio pro inquisitoribus haereticae pravitatis* of Charles V (1550) and the curious documents in the archives of Mons published by M. A. Loin (*Bulletins de la commission royale d'histoire*, 2nd series, vol. VIII). Each document was prepared in advance by a pupil, who analyzed it and sometimes read it through, commenting upon it as he read; the others in their turn discussed it under my direction.

Besides this, two pupils were charged to study special questions and report to the class the result of their investigations. One of them in this manner presented an approximate chronological list of the Inquisitors of the sixteenth century in the Netherlands, according to printed documents and the works of Gachard, Henne, etc.[1] The second briefly sketched the history of the Inquisitions of the sixteenth century in Liége, according to the edicts of prince-bishops, published by Raikem and Polain, and according to the works of Fred.

[1] This essay, revised and developed, will appear in our second number. The author is M. Eug. Monseur, then a student in the Faculty of Philosophy.

Hénaux, Rahlenbeck and Lenoir.[1] We had twenty-five meetings of an hour each.

In 1881–82 the class numbered seven, two from the doctorate in philosophy, three from the history section of the Normal School, one from the law school and one from the first doctorate in law. All but one had taken the course the preceding year and all continued to the end. The first ten lessons were spent in studying the birth and maternal descent of Margaret of Parma, regent of the Netherlands, from the sources and the works of Serrure, Vander Meersch, Vander Taelen, Reumont and Rawdon Brown, besides the remarkable prefaces to the three volumes of Correspondence of Margaret of Parma, published by M. Gachard. One student was charged to state all the elements of the problem in a paper which was read by him to the class and discussed in common.[2]

The last fourteen meetings were spent upon the history of the repression of heresy in the Netherlands in the sixteenth century. After several students had presented abstracts of certain chapters from Alex. Henne's excellent book, *Histoire du regne de Charles-Quint dans les Pays-Bas*, and of the numerous documents there cited, we went on to the reading and detailed critical analysis of the edicts of Charles V, promulgated in 1550, *Instructio pro inquisitoribus haereticae pravitatis* (already cursorily examined the year before), and of a bull of Pope Julius II (1550). Then we studied in detail the text of the Pacification of Ghent and, less thoroughly, the contents of

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[1] The author of this study, M. Henri Lonchay, then a student in the history section at the Normal School, took from it material for a popular article in the *Revue de Belgique* (August 1881) entitled The Inquisition in the Province of Liége. The present number contains an essay by M. Lonchay, revised and extended according to his work in the practical course of 1880–81.

[2] This work appeared in the *Revue de l'instr.* (1882, Vol. XXV, pp. 153–170). The author, M. Guillaume Crutzen, then a student in the history section of the Normal School, has since rewritten the article and it is published in my present series of monographs.

the other great treaties relative to our religious wars (The Agreement of Brussels, Perpetual Edict of Don Juan, Religious Peace of Anvers, Agreements of Utrecht and Arras). This was a sort of introduction and preparation for the work of the following year.

In 1882–83 the course dealt with the preliminaries and the negotiation of the Pacification of Ghent. Six students, one from the course in philosophy, three from the doctorate, two from the Normal School and one from the first doctorate in law, took the course and worked faithfully. Three of them had taken the work of the two preceding years; one, of the year preceding; two took it for the first time. The meetings were lengthened from an hour to an hour and a half or two hours and we met twenty-five times.

I began with an introduction upon the sources and the disputed questions of the Pacification of Ghent. Then we studied together the Correspondence of Philip II, published by Gachard (part of the documents of the year 1576), the letters of the same epoch in Gachard's Correspondence of William the Silent and van Prinsterer's Records of the House of Orange-Nassau, as well as the principal memoirs and chronicles of the time, with a view to the preliminaries and negotiation of the Pacification. These memoirs of the sixteenth century were made the subject of a series of written essays; the essay of each student was submitted to another student who annotated it; then I examined them and wrote out my observations. The essays, thus twice corrected, were then read and discussed in the meeting. They bore chiefly upon the Acts of State in September, 1576; negotiations between the Netherlands and Liége at the same period; Anonymous Memoirs, published by M. Blaes; Memoirs of Del Rio, published by Abbé Delvigne; Commentaries of Bernadino of Mendoza, published by M. Guillaume; *Notules* of Berty, published by Gachard; Reports of the Venetian Ambassadors (1576); Discourse upon the Government of Council of State, by the councillor d'Assonleville, published by Gachard, and Memoir of Bishop Metsin,

published by Gachard. These essays were quite extensive and very carefully written; they clearly indicated the position which can be taken from each of these sources for the history of the Pacification of Ghent. The opinions of Motley, van Vloten and Nuyens were also analyzed and discussed in writing.

For my share I gave an account of what was useful to us in *Resolutien van Holland*, the *Dagboek* of Jan de Pottere, the *Diarium* of Philippe van Campene and the work of Michel ab Isselt, *Sui temporis Historia*. I reserved to myself also researches in the records and communicated the results to my pupils, going to Holland to study some documents in the archives of The Hague, Utrecht and Middelbourg, and some rare printed documents in the library at The Hague. I submitted to them also my extracts from certain registers in the royal archives at Brussels, in the communal archives at Ghent, besides letters and information sent me by Prof. Fruin at Leyden and the archivists Van den Bergh of The Hague, Gachard[1] of Brussels, Devillers[2] of Mons, Diegerick[3] of Ypres, Hoop of Ghent, Gilliodts van Severen and Vanden Busche of Bruges. I here heartily thank these eminent specialists for their aid.

The last two meetings were devoted to the reading of my essay upon the public teaching of the Calvinists of Ghent (1578–1584).

After two years of preliminary study I have thus been able to start, with pupils reasonably well prepared, upon a quite special study which will end next year in the publication of a collective treatise, of considerable extent, upon the Pacification of Ghent.

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[1] M. Gachard, archivist-general, kindly allowed me to have for a month, at the State Archives of Liége, a valuable register from his department.

[2] M. Devillers sent me some very detailed analysis of certain documents in the archives of Mons.

[3] M. Diegerick sent us a series of his publications relating to the 16th century.

Since 1880–81 the students have been required, each in turn, to keep minutes of the progress of our debates and of the results arrived at, which the reporter read at the following meeting; these minutes were approved after correction and copied into a register *ad hoc*, where a close history of the three years' practical course is thus recorded. In 1881, at the time of my visit to the University of Halle, M. Conrad, the eminent professor of political economy, told me that he had long used this method in his practical course and that he had found it of great value. I am entirely of his opinion as to the utility of the minutes of our meetings.

I trust I shall be pardoned for dwelling thus long upon my own course; it is the portion upon which it is easiest for me to give complete information, and perhaps I shall be excused for the paternal tenderness with which I have spoken.

VI.

Practical Course of Prof. Thomas at the State University at Ghent (1882–1883).

During the closing academic year, two practical courses in history have been undertaken at the University of Ghent, under Prof. Thomas for the first semester, and under Prof. Motte for the second. The course directed by Prof. Paul Thomas was devoted to ancient history; it consisted of one lecture of an hour, each week until Easter. At the first lecture twenty-seven students were present; a dozen went on to the end. All were students of the course in philosophy except one, who was studying for the doctorate.

The work was upon the sources for the Conspiracy of Catiline. M. Thomas began with an introduction upon the principles of historical criticism. He then briefly stated the condition of the Roman Republic at the time of the conspiracy; then he enumerated all the sources, characterizing them. After this introduction the class passed on to practical work upon

the Catiline of Sallust compared with the Catilinian Orations of Cicero.

The students were required to write a series of short essays upon the following subjects:

1. Analyze the Catiline of Sallust, separate the principal narrative from digressions and arrange the facts as nearly as possible in chronological order wherever Sallust has failed to do so; point out the principal phases of the conspiracy; examine the circumstances of time and place in which the four orations against Catiline were delivered, and show what place they should occupy in Sallust's narrative.

These points were written upon by thirteen students. Their work was generally mediocre.

2. Compare the first Catilinian Oration with Sallust; note differences and resemblances and what details are found in Cicero that are not found in Sallust.

Only one essay had been written upon this subject and that by the student for the doctorate. He had worked carefully and showed insight and critical power.

3. Write a summary of the second Oration and determine its character; compare it with the first; compare it with Sallust.

Each of these points was to be treated separately. The essays handed in were weak.

4. Compare the third Oration with Sallust.

One student only attempted this work and his essay was weak.

5. Review the fourth Oration and compare it with Sallust.

The student to whom this was assigned (one from the course in philosophy) did good work, remarkable for depth as well as form.

All the essays were discussed and criticised before the class. M. Thomas pointed out defects and errors, put questions to the listeners and attempted to make them draw conclusions for themselves. The great difficulty of the course was the insufficient knowledge of Latin on the part of most of the students. Work in ancient history is hard to organize in

Belgium on this account. I hope, however, that my excellent friend, M. Thomas, will not be disheartened, but will courageously continue what he has so well begun this year.[1]

VII.

Practical Course of Prof. Motte at the State University of Ghent (1882–1883).

On account of painful circumstances, Prof. Motte has been able to begin his course but late, and to give to it only ten meetings. About twenty students have attended it, all students in the department of philosophy except one, who was in the doctorate. The subject was the malice-aforethought of the massacre of St. Bartholomew. As it was late in the year, and examinations were approaching, the professor could not think of requiring personal work from the students. The course was, therefore, purely theoretical.

Professor Motte began by stating the terms of the ever-debated question as to the premeditation of the event and the responsibility of the principal actors. He then developed the fundamental principles of historical criticism and applied them to the subject in question, taking a necessary glance at the Reformation in France, the position of the parties, the court, the Huguenots, etc. Then he passed in rapid review the general sources of history for the West in the sixteenth century, and stopped longer at the special contemporary sources for the St. Bartholomew's Day, and the principal later writers, German, English, Belgian, Dutch, Spanish, Italian. He closed with a statement of all the disputed questions connected with the subject.

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[1] Prof. Thomas has left the teaching of history in order to devote himself to ancient philology. His practical course has, however, been taken up by Prof. de Ceuleneer (1889).

These lectures were a sort of introduction to the practical work which the professor intends to begin at the commencement of the next academic year.[1]

Such is, in brief, the work that has been done thus far toward introducing into Belgian Faculties of Arts and Philosophy practical exercise in history. We may conclude that, whenever such a course has been attempted, it has been zealously taken up by the students and the professor has been amply repaid for his trouble. This answers the only important objection that can be made to the organization of practical courses in history by the faculties. The opinion of a stranger, a German professor who has been teaching at the University of Brussels since 1879, is as follows:

"Objections are made," says M. Philippson, "on the ground of the spirit of materialism and utilitarianism of the Belgian youth. But has not everything been done to develop the tendency to this spirit in our young university men? Have they ever been told that study exists for anything but practical ends? Moreover, I am convinced that we are mistaken in the young men in this regard. Because of the vividness of my recollections of another country (Germany), I feel justified in making a comparison and in concluding that among the students at Brussels there are many who, in their zeal, diligence, love of science, ardent and generous aspirations, are in no sense behind the best in German universities."[2]

It may be that M. Philippson thinks too highly of the Belgian youth; but it seems to me indisputable that the practical courses, though appealing only to the elect, will always find a sufficient and ardent support.

In brief, the results thus far obtained are very modest. Aside from the history section at the Normal School, Liége

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[1] Prof. Motte has continued his practical course, taking up Mary Stuart besides studying further upon St. Bartholomew's Day (1889).

[2] Article cited above from the *Jeune Revue.*

has two optional practical courses, M. Kurth's and my own; Brussels has but one, M. Philippson's; Ghent will have two, those of M. Thomas and M. Motte; Louvain has none as yet.[1] But it can be said that the experiment has been tried and that, by the teachings of experience, the inexcusable defect in our university organization has been clearly pointed out to the government. I have therefore great confidence that the day is not far distant when the minister of public instruction, inspired by the example of foreign universities, will transform into official practical courses our humble ones now left to the gropings of certain volunteer professors and students.[2] In no other way can the

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[1] Although the Catholic University of Louvain has no practical course in history it may well be proud of its *Societas Philologa* which Prof. P. Willems has directed for twelve years with admirable tact and devotion. This Philological Society, meeting at the professor's house, serves to make up the deficiency in the Belgian doctorate in philosophy in respect to classical philology, which in its true sense embraces the language, history, institutions and fine arts of Greece and Rome. The principal object is the examination of the most important articles in Belgian and foreign philological reviews. According to the regulations each member, in his turn, reads and reports upon certain articles. Thus all are, to a certain extent, kept abreast of the general movement of the science. Besides this, they study each year one Greek or Latin author most thoroughly. Two young colleagues of Prof. Willems, Professors Brants and Colard, take part and aid by important information.

The society has already contributed to the production of distinguished scholars, among whom are my colleagues at Liége, M. Charles Michael, and Brants and Colard. For further details I refer to the annual reports of the society. Prof. Willems's books have a well-deserved European reputation; but, in my opinion, his *Societas Philologa* is his finest and most fruitful work.

In 1885 Prof. Moeller opened a practical course in history at Louvain, so that all four of the Belgian universities now possess them. At Ghent there are four (by Pirenne, Motte, de Ceuleneer and Frédéricq); at Liége two (by Kurth and Hubert); at Brussels two (by Vanderkindere and Philippson); at Louvain one (by Moeller). This makes a total of nine practical courses. It seems to me indisputable that outside of Germany and France the new historical methods have made most progress in Belgium (1889).

[2] The government ought to recognize the practical courses, by giving the professor an assistant and a small annual allowance for the purchase of

higher teaching of history be efficiently organized in Belgium; for theoretical courses, however excellent, have never made a historian.

I have quoted (in preceding foot-notes) a remarkable article published in the *Revue de Belgique* (May 15th, 1880,) by my eminent colleague and friend, M. Vanderkindere, under the title Teaching of History and the Creation of a Higher Institute of History. After stating all the deficiencies and absurdities of the actual organization and paying due tribute to the exercises in paleography conducted by M. Philippson at Brussels, he recommended the creation of a higher institute of history at Brussels. It seems to me evident that the government should reorganize the Faculties of the two universities before going to great expense to found a new institution in the capital.

In 1881 M. Vanderkindere, developing his plan in a discourse delivered to the House, proposed the creation, at Brussels, of a complete institution of higher branches, including all the sciences. It is obvious that such an institution would doom the Faculties. It would simply furnish the Free University of Brussels with a series of scientific courses without burdening the budget of that private establishment.

Although the intervention of the government may be more or less near, it seems to me that the professors of history in our universities ought for the present to add an optional practical course to their theorectical courses. No law or regulation prevents them. Let us begin by setting the example and support will come.

Let us, first of all, produce students.

In the Faculties of medicine and sciences where numerous practical courses have existed for years, as in Germany where

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necessary books, just as it has already done for the departments of science and medicine. In other respects the professor should be sole judge of what is to be done in the course. He alone is competent in the matter; the liberty allowed him in the German universities is necessary if the whole benefit of practical courses is to be reaped.

teaching has always had a strong practical tendency, Belgian professors have students in the true sense of the word. We have in our course in history only passive listeners. They can no more be called the pupils of a great professor because they have attended that professor's course than they could be called pupils of Rubenstein or Liszt after having heard these masters in concerts.

We confine ourselves a little too much to giving concerts to the students of our Faculty. The music we make for them is not always very scholarly, since, thanks to our detestable law upon higher teaching, most of our courses are only elementary resumés; so much so that it sometimes happens that printed manuals, which everybody can find in a library, are worth more than the lecture courses so laboriously given. Of course this is the exception. We have in our Faculty of Philosophy scholars who are justly renowned; but we forget to show to our more or less admiring listeners the mechanism of the instrument upon which we play. Thus the science of history appears to them an inaccessible thing, beautiful in itself but only to be viewed from afar by them, a mysterious matter which professional secrecy forbids us to reveal to them.[1]

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[1] In an excellent study upon the University of Berlin M. Emile Banning insists upon the sterility of the higher teaching of history in Belgium: "At the close of their academic studies most of the young men possess only vague ideas in matters of history, a little knowledge without foundation. This fact is especially to be regretted, since, in a country where the philosophical sciences are little cultivated, the majority of minds require from the serious study of history only broad and rational principles, strong and deep convictions, to guide them in their conduct as free citizens. But the fault of which I speak is still more serious for those who propose to develop what they have acquired at the university and to devote themselves to original research. They must often meet, at the beginning of their career, almost insurmountable obstacles, which, added to material difficulties, frequently discourage good minds. It is really only after the loss of much time in fruitless, groping attempts, that they at last learn to find their way among the innumerable documents of every sort and every degree of value which we have inherited." (Report on the organization and teaching of the University of Berlin, pp. 66 and 67, 1861.) This report contains much that

We write and talk incessantly about reform in higher teaching and we do not refrain from addressing to the government objurgations more or less insistent. It is only right. But are we not ourselves somewhat at fault? After all, the government, in its incompetent simplicity, does not know just what there is to do and hesitates to undertake problems whose conditions and method of solution are obscure to them; while *we* know perfectly well that it is not such and such a chair of history that is wanted, such a detail of organization, such a building or such a regulation; but that it is a *scientific spirit in the students* which is lacking, and that this spirit can be roused only by means of practical courses. Let us then go to our students, draw them into our work-rooms, direct their reading, teach them the scientific method by personal exercise in all historical matters which have till now been sterile theory to them. Let us prove the value of the method by using it; when we shall have done that it will be necessary for the government to join with us.

There is one point which remains to be examined and upon which the success of the practical courses greatly depends. Let us suppose them flourishing at all our universities. Each one would annually furnish a certain number of apprentice historians, acquainted with the use of historical instruments and capable of devoting themselves to personal research. But what would they do upon leaving the university? They would be too young and inexperienced to aspire to a professor's chair; a few of them would be attracted to intermediate teaching; others would become lawyers, functionaries, etc.,

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would be of use to all who work in history here; especially do his remarks upon the teaching of history in Prussian Gymnasiums, in the different historical schools of the time show a remarkable appreciation of Ranke and his works, details of Prof. Droysen's and other of the more important courses in Berlin at the time.

and would find themselves obliged to neglect or more often abandon the historical pursuits toward which they were drawn and for which they already possessed valuable preparation. There would be only a small minority who could pursue the study by the aid of a sufficient personal fortune or some other equally rare circumstance. Much pains and effort would thus be lost, bringing no profit to the progress of historical sciences in Belgium.

It becomes necessary then to find a means of making the practical courses bear their fruits.

It is first to be desired that funds[1] be established to permit the best students to go abroad and take the courses of the princes of the science in Germany and Paris. Of course no young man of small fortune would be willing to undertake this noble dilettantism without the prospect of later finding a career. It would thus be highly necessary to introduce into our universities the *privat-docent* system of Germany.[2]

With us each chair constitutes a sort of life-monopoly for the professor. Aside from exceptional and extremely rare cases all scientific rivalry is impossible.[3] Hence it happens

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[1] The government ought considerably to increase the number of foreign scholarships at these universities.

[2] This reform has been many times recommended in Belgium. Prof. Loomans and Prof. De Laveleye ten years ago formally proposed it to the council for the perfecting of higher teaching, which accepted it unanimously, I believe. Further, M. Loomans has been one of the first, if not the first in Belgium to demand the introduction of the system, notably in his remarkable report to the Minister of the Interior in 1845: *Rapport sur l'enseignement supérieur en Prusse.* M. Banning's report, already mentioned, is not less remarkable.

[3] In the same report M. Banning says: "We have in our universities a good number of men of great and rare merit, scholars of the first order, choice minds which even the institutions of Germany might envy us. But it is undeniable that the scientific spirit is weak among us, notwithstanding the brilliancy and zeal of our professors and our happy situation at the centre of the great network of communication of all modern ideas and aspirations. To what shall we attribute this deplorable state of things if not to the vices of our university organization? The system destroys per-

that when a Belgian professor is incapable, the subject which he teaches remains in neglect for an average of twenty years and one sees generations of students follow one another to his feet, discouraged, enervated, obliged not only to attend an insufficient course but to learn it by heart for examination. In Germany on the contrary, every doctor may present himself to the Faculty, from which he has his diploma, to submit to a severe scientific examination which qualifies him—that is allows him to teach in that Faculty. Without this qualification he will not be admitted to rivalry with titular professors. This is true scientific liberty, and experience has proved that it alone can preserve a noble emulation in the teaching body and weaken the effects of improper nominations, by providing a nursery of young scholars, ready to fill the vacancies which death or superannuation causes each year in the staff of the Faculty.

But it is not everything to have the privilege of adopting the career of higher teaching; it is also necessary to keep from dying of starvation in devoting one's self to science. In Germany the position of *privat-docenten* and professors extraordinary is far from enviable. The regular professors alone are comfortably paid by the State. Sometimes the professors extraordinary receive no salary at all; even when they do receive one, their class-fees constitute their principal revenue. *Privat-docenten* have only the small fees of their occasional pupils. In regard to this M. Seignobos,[1] professor of the

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sonal initiative and does not know how itself to produce life. So long as liberty is rendered impossible by a prescribed outline, so long as the teaching of each important branch is left to one professor, however great his genius, we shall never see the existence of that scientific life which springs from the encounter of rival ideas and from the strife of opposed conceptions and diverging methods. This Germany perfectly understands." Before this, in 1845, M. Loomans had said: "To tell the truth, our system rests upon the isolation and privilege of the professors; the German system, upon their union and rivalry."

[1] *Revue internationale de l'enseignement*, June 15th, 1881, p. 569.

Faculty of Arts at Dijon, who has carefully studied the organization of higher teaching in Germany, says: "The scholar without private fortune is obliged to make his living by work in libraries, by popular lectures, by contributions to reviews, by becoming secretary to some scientific enterprise. It is truly a career of adventure. Nevertheless there does not a year pass without the qualification of many young men for history; there is not a Faculty which has not at least one *privat-docent* in history, and most of them have four or five. Is it not an unquestionable proof of the love of the Germans for the historical sciences that a profession which supports its men so ill should be so much sought?"

We cannot for a moment think of improving our universities with the hope of raising in Belgium a generation of young scholars who are to live in misery for years, after the example of the brave and starving *privat-docenten* of Germany. The government must make an endurable lot for those upon whom it wishes to be able to depend. There is no doubt of it. It ought, I think, to guarantee a temporary salary of 2,000 to 4,000 francs to those who shall have obtained the qualification of a Belgian Faculty. It seems to me to be the only equitable means of attaching them to the university.

At the end of a few years the government would reap a hundred fold that which it has sowed. We should see the higher teaching of history[1] rise to a level before unknown. New courses would be added and would attract the best of students. Paleography, epigraphy, diplomacy, criticism of sources would cease to be *terra incognita.* Practical courses would be multiplied. The young blood infused into our Faculties would reanimate the now drowsy organism; in a word, scientific life would become infinitely more intense. The *privat-docenten* would form the nursery of future titular professors; the government would have no more embarrass-

[1] What is here said of history is equally true of the other sciences taught in our Faculty of Philosophy and Arts.

ment in choosing an occupant for a vacant chair, and the chair would always be in possession of a scholar who had already written and taught, a condition almost never found at present.[1]

Our minister of public instruction, M. Van Humbeeck, seems, moreover, willing to accept this view. A royal decision of January 21st, 1883, complemented by ministerial decisions of June 13th following, institutes *assistants* and *special fellows* in the Faculties of science and medicine. "The special duty of these assistants will be to aid the professor in experimental and practical teaching as well as in laboratory work. They will be chosen from the doctors of three or more years standing or from those who, having been longer in the profession, have written scientific works. The number of assistants is fixed by the government according to the needs of the department, so that at least one assistant may, if possible, be attached to each course which includes practical work." The minister nominates the assistants upon the recommendation of the professor interested and the advice of the Faculty, rector and administrator-inspector. The assistant receives an annual stipend of 2,000 francs which, after four years, is increased to 3,000 francs.

At the expiration of these four or six years, the assistant who, in the course of his service shall have published scientific works

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[1] Speaking in his report of the German *privat-docenten* M. Loomans says (pp. 51 and 73): "The fellowship ought to be the nursery of professors; young men of talent should there be prepared for the career of teachers. We have a term of probation for the bar, the magistracy and the administration; much more ought we to have it for the professorate. Further, the fellowship should be a large and liberal institution, to which admission is easy, where aptitudes for science may be fully developed, where ability shall have an assured future *and lack of ability shall not.* A certain number of years in professorate under the eyes of the Faculty, in full view of every critic, would furnish opportunity for making a good choice. The governments of Germany do not make mistakes; the composition of their corps of university teachers leaves nothing to be desired. The assistant professors are naturally ranked according to their merit. The opinion of universities is an impartial one; it rules the choice of the government."

or shown particular aptitudes may, upon recommendation of the Faculty interested,[1] the rector and the administrator-inspector, be appointed *special fellow.* These special fellows may be authorized by the minister to give lectures upon new or special topics and to assist in the theoretical teaching of the professor if he desires. The Faculty may summon the special fellows to their meetings for consultation and call upon them to sit as judges at examinations. Their term of service is three years. It may always be renewed upon the recommendation of the same body of men who at first conferred the appointment. The salary is never less than 3,000 francs.

It is necessary only to extend these excellent provisions to the Faculty of Philosophy and Arts in order to see them produce the same fruits which are justly expected from the sciences and medicine. The day when this shall be done will be a day of great advance toward the scientific reorganization of our Faculty. The study of history particularly, which cannot flourish without practical courses, will respond to the treatment.

To sum up in a few words, the following seems to me the most urgent reform: the creation of thorough historical courses in the doctorate in philosophy, the creation of practical courses, the natural recruiting of the teaching body by the institution

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[1] This preponderating influence of the Faculty interested ought to be found as well in the nomination of *professors.* Only the Faculties are competent and understand the weight of the new responsibility imposed upon them in the sight of the scientific world. A minister in Belgium is first of all a politician and he will always find in the House a majority of politicians to approve his nominations, whatever they may be. Moreover a man can be statesman of the first order without being able to distinguish the most meritorious man among the candidates for a chair of philosophy, Greek, history, Roman law, botany, chemistry, physiology, etc. It is radically impossible that any man, however wise, should be in position to make, alone and uncontrolled, the university nominations. Who would not smile if Darwin were required to appoint the professors in the Faculties of Philosophy and Arts? And how many Darwins are there among our ministers? In Germany the Faculties really dictate the minister's choice.

of assistants and special fellows who will play the part of the German *privat-docenten.*

It is a common-place that the study of history is indispensable to a free people, called upon to govern itself. Knowledge of the past alone makes the present comprehensible, and enables men to avoid the reefs upon which their ancestors have made shipwreck. In improving the teaching of history we shall render service not only to science but to our land.

Notes supplementary to the Johns Hopkins University
Studies in Historical and Political Science, 1890, No. 4.

THE EDUCATIONAL ASPECT OF THE UNITED STATES NATIONAL MUSEUM.

By Professor OTIS T. MASON,
Curator of the Department of Ethnology.

Read before the Historical Seminary of the Johns Hopkins University.

It gives me great pleasure to speak to you this evening on University instruction in the National Museum, especially that portion of it which relates to mankind. I might have called my subject, the natural history of ideas,—as illustrated in the arrangement of the Anthropological Department of the Smithsonian Institution. In every well ordered museum there are two museums, and there are two radically different opinions among the men in charge as to which of these two should rule over the other.

If you were to accompany me to the fourth story of the north tower, Smithsonian building, I would show you a distinguished conchologist, in a most attractive suite of chambers, furnished with cherry cabinets securely locked to defend against thieves and careless fingers the "study series" of museum shells. Only now and then does a citizen of the outside world set eyes upon these gorgeous treasures. They are for the curator and his brother conchologists. On the ground floor of the same building arranged in glazed cases you may see any day in common with all who have the necessary curiosity the "exhibition series" of shells. Now shall the fourth story be administered for the sake of the ground floor?

Perhaps you are not fond of shells, but take the birds into your fancy. Well, the lesson is the same. Along that balcony behind the wire screen are thousands upon thousands of bird skins which the public never see. That is the "study series." While here below perched upon neat stands, as near the mimicry of life as taxidermist's skill can come, peep through the glass doors miles of the feathered tribes. These are the "exhibition

series." And the question comes again which is servant to the other? To pass from curator to curator is but to repeat the enigma. Whether it be marine invertebrates, insects, fishes, reptiles or mammals, there are ten times more of precious specimens carefully locked in the drawers than are exposed to public gaze. All museums resemble each other in this regard.

You will occasionally hear one of the favored gentlemen say: "If I had my way there should be no 'exhibition series.' The public have no business to see these things. Every moment I spend in mounting specimens for the public to gaze at is lost from my work, and every dollar appropriated to costly mounting and plate glass is just so much diverted from procuring new and fresh material for me." I heard this very argument used by a distinguished keeper of one of the best museums of Europe.

On the other hand men equally as learned say: "What is the use of writing books for nobody to read? If you stir up a love for these things in the public, will they not fill your mill with grist, build your cases for your study series and give you money to perfect your work?" And so the battle has been fought for you while you were being born and nourished, and the public are now freely invited to share the joy of the naturalist.

In the field of natural history the students of Johns Hopkins University do not need to be told by me that human ingenuity has exhausted itself to devise ways of showing to the eye the processes of nature by means of pictures, microphotographs, dried and alcoholic specimens, casts, and models in wax, paper or plaster. The ontogeny of many species, the classification, the variations, the result of all the forces which combined constitute environment, comparative anatomy and evolution of form, are beautifully set up in our great collections, attractive as works of art and admired by all lovers of nature.

Now all this has been the growth of years. I shall not dwell upon it. Indeed I only mention the subject to introduce what I may have to say to you upon the National Museum in its relation to natural history of man and the connection of this method of study with the pursuit of human history.

To my thinking, anthropology is the application of all the methods of natural history to the study of man, of his anatomy,

his physiology, his measurements and external characters, his psycho-physical activities. But I extend my definition even to his inventions, in the arts of living, in social life, in language and opinions, giving to the word invention its widest possible application to everything that man has found out how to do since his first appearance on this planet. By this rule I would call not only useful and decorative arts inventions, but language, literatures, social fabrics, laws, customs, fashions, even creeds and cults as formulated in words or set up in modes of worship are inventions. Observe carefully that I extend my measuring, counting and dissecting even to man's inventions in the arts of living, in social life, in speech and in opinions. Only, in this case you can actually see the basket being made, the flax being spun, the vase being moulded, the iron implement being forged, and you may also see the weaver, the spinner, the potter and the smith in action. But practically to the curator and to the student of archaeology, especially, the facile hand has been removed and he can only in imagination conceive the creative purpose in the handiwork. This brings him strikingly near the naturalist in the last appeal, whether he takes theistic or non-theistic views of creation.

Inventions may also be studied in their structure and their functions, their genera and species, their evolution and their philogeny, their relation to environment, their combined share in great historic movements akin to the prevalence or scarcity of great masses of plants or animals. The clothes we wear, the houses we inhabit, the tools of our daily toil, the arts we cultivate, the words we utter, the customs we practice, our social fabric, our beliefs and conduct in presence of the spirit world, all of these may be treated as so many plants or insects, birds or mammals. In our historic, ethnic or technic studies we need omit no process in vogue among keepers of such specimens and we may follow them implicitly in every method they employ.

It is only within the memory of many now living that the methods and apparatus of the natural historian have been applied successfully to human affairs. Indeed you would be astonished in visiting some of the grandest ethnological museums of Europe to find that not one progressive step had been taken in fifty years. In them, locality, blood, nationality and language are confounded

and made the one category of arrangement. All else is the work of the upholsterer.

The use of the inventive faculty, the art of inventing, has been no exception to this rule of similarity with the organic world. The first inventors had few instrumentalities, few processes between them and the finished result, the great professional inventors like Edison and Graham Bell call into action a most complicated set of agencies and methods that can be likened only to such highly organized beings as man himself. Between the first "happy thought" and the latest protected invention there is a long series of inventive processes related and developed into higher and higher forms. The first invention may possibly have been a literal translation of the Latin *invenio*. The man found something that suited him better than the common run of objects in the same class. The series seems to have run somewhat thus.

1. Accidental discovery. Mere observation and apperception.
2. Happy thought. Utilization of natural forces.
3. Design. The patterns in weaving, etc.
4. Experiment. Trying between two or more ways and means.
5. Natural reward stimulus. Better luck, greater strength.
6. Social and civil rewards. Headman, chieftaincies, Olympian games, and the like.
7. Patents and monopolies.
8. Co-operative invention.

But I would not mislead you into thinking that our National Museum was the first to use the method of the naturalist in the study of inventions. I cannot even tell you the exact time and place of its origin, but your speaker caught the contagion, many years ago, from Dr. Gustav Klemm, of Dresden, who went all over the world collecting things to show how this splendid animal, called man, had invented his own successes. The king of Saxony did not appreciate this wonderful seer and his great collection. The city of Leipsic bought the material on the death of Dr. Klemm and you may now see it in the shabbiest of buildings on the Johannis-Platz.

A far richer cabinet and one that met a better fate is that of Col. Lane-Fox, now Gen. Pitt-Rivers, to be seen in the rear of the Natural History Museum at Oxford.

The great world expositions and the special lines of taste and research followed by men of learning and fortune have enriched almost every great city of Europe with collections arranged to show the elaboration of one or more industries. But you will allow me to throw one other flower upon the grave of Gustav Klemm, inasmuch as I pluck it from the conservatory of your historical Seminary. He was one of the very first men to recognize the mutual dependence of the historian and the ethnographer. He knew well that it is very rash for us museum people to adopt conclusions that contradict the testimony; and he also knew that interpretations could not be given to writings which are absurd in the light of things. Perhaps he would say to you at your work. Go over to Washington and hear all those anthropologists have to say, but do not altogether lose your heads and your reverence for historical records, for true methods of historic study are among the highest of all inventions.

In the study of the natural history of invention there occurs something very like the degrees of complexity in organic beings. For your unicellular organisms, which have no differentiation of structure for the performance of a variety of functions there is the non-organic tool, the stone knife, hammer, perforator, &c.

Analogous to the highly organized plants or animals, running through a series of increasing complexity, the museum of invention has its poly-organic units of technology, such are a suit of clothing, a set of tools or weapons, the house and its furniture, the shops of the artisans, the paraphernalia of a ceremony or worship.

And to perfect the comparison, the material, the pictures and descriptions to set forth the life history of a whole tribe or nation resemble very closely those studies of the best naturalists who include within the examination of a species a full description of its habits *en masse*. Such are Dr. Cook's and Sir John Lubbock's studies in ants, and such also are the ethnographic monographs sought in the little question book sent out by the British Association called "Notes and queries on Anthropological subjects."

The Smithsonian Institution itself is one of the best examples of an invention occurring to me, which actually in its life history has typed the whole series of creation very much in the same way that the embryo touches in passing every type of life below it.

On the 27th June, 1829, died at Genoa, Italy, James Smithson, natural son of the first Duke of Northumberland. Nearly three

years before his death he made a will in which, after a few small bequests, he gave to his nephew, Henry James Hungerford, the entire income arising from his property. Should the said Hungerford have a child, legitimate or illegitimate, Smithson left to such child, his heirs, executors and assigns, his estate. In case of Hungerford's dying without children he says: "I then bequeath the whole of my property to the United States of America, to found at Washington under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men."

This was the first vital process, the period of fructification in the ovary.

Whether in obedience to a decree of Providence or for the purpose of carrying out his uncle's wishes or because of his own inclinations, Henry James Hungerford, *alias* Henry James Dickinson, *alias* Baron Eunice de la Batut, "led a roving life in Europe and died in Pisa, June 5th, 1835, having never married and leaving no heirs who could make a claim to his bounty."

This was the second period in the metamorphosis.

On the 28th of July, 1835, Hon. Aaron Vail sent a message to the Hon. John Forsyth, Secretary of State, that the United States was entitled to the estate of Smithson, valued at one hundred thousand pounds. The Secretary told President Jackson, the President told the Senate, and his message was subsequently referred to the House. The discussion about receiving the money at all was spirited, but all shoals and reefs passed, the bill to institute a suit in Chancery to recover the money became a law, July 1, 1836.

Thus was the third period of the metamorphosis passed.

Most fortunately for the whole world the Hon. Richard Rush was appointed agent to assert and prosecute the claim. The suit was commenced in November and brought to a close in May, 1838, less than two years. When we remember that this was in a country where a "Chancery suit was a thing that might begin with a man's life and its termination be his epitaph" our admiration for Mr. Rush and the English Court needs no stimulus. In order to save the cost of exchange the agent had the fund converted into gold and silver and sent to America in the ship "Mediator."

This was the fourth period of the metamorphosis.

On December 6th, 1838, President Van Buren announced to Congress the arrival of the fund. Time will not allow me to tell of the various fortunes and misfortunes of this fund and the wranglings over it in Congress, amounting even to advice to send it back. Eight years elapsed before they came to any conclusions, and on August 10th, 1846, President Polk signed a bill organizing the Smithsonian Institution and creating a board of Regents.

Thus the fifth period of the metamorphosis.

The rest of the story can be told in a few words.

When we consider how many feeble institutions of our country that started into life with a capital of a half million are now kept from the grave by periodical stimulants, we are in a frame of mind to appreciate the magnitude of Professor Henry's appointment as the first Secretary of this trust. It was his genius that made the Smithsonian the first scientific Institution of the world. Had the regents failed here it would have been as well if Smithson had never been born.

The mission of Henry was to give genius to the enterprise, but it is well known that the diffusion of knowledge was the one dominant thought with him. Professor Henry had no notion of a Museum or of vast collections. That was a later growth. If we owe the money to Smithson, the *genius loci* to Henry, we owe the museum to Professor Baird. He was the omnivorous collector, the naturalist, the Peabody of specimens, the David of all future temple builders.

At the risk of having my motives misinterpreted by reference to the living, I should fail to do my whole duty if I did not add to the names already mentioned that of Professor G. Brown Goode, to whose genius we owe the purely educational element of our Museum, and that of Professor Langley whose studies in the New Astronomy give promise of that cheer which our Institution will in the future bestow on those who are laboring out on the very boundaries of natural knowledge.

The interpretation of Smithson's bequest, elaborated by the four men whose names I have mentioned, Henry, Baird, Goode and Langley, makes our Institution a great world university in the highest sense of the word *universitas*. The increase and diffusion of knowledge to all men so far as in us lies, the increase of knowl-

edge by the explorations of the heavens, the earth and the waters for new knowledge of all and every kind; and the diffusion of knowledge by communicating to all the researches of all, which last is only another name for increase by diffusion. The Smithsonian Institution has come to be a world university for the increase of knowledge, first, by research, second, by publication, third, by the international exchange, which I may be permitted to explain at a little more length.

For the increase of knowledge among men the Smithsonian Institution has international exchange, its publications, its library, its bureau of Ethnology and other explorations, and its museum.

By the International exchange it is the aim of our Institution to put its publications and those of the Government into every great library in the world, to place its monographs into the hands of every specialist in the world, to afford a central office through which every explorer of knowledge may speak to every other explorer of knowledge, without money and without price. By assuming this unique rôle the Smithsonian has escaped all the jealousies which would have fallen on it, had the Regents decided to enter into rivalry with universities, observatories and other established institutions, as was proposed by nearly every one to whom President Polk referred.

The exchange extends also to specimens and thus original workers may coöperate and material may be placed in the hands of those best fitted to examine it.

The publications of our Institution embrace:

I. Contributions to Knowledge, learned monographs printed in quarto form. These are chiefly philosophical memoirs rather than reports of technical work.

II. Smithsonian Reports. These contain a succinct account of the establishment for each year, with an appendix made up of scientific papers, not necessarily based on museum specimens. In recent years Part Second of this report covers the work of the National museum.

III. Miscellaneous Collections. These are specially technical, such as check-lists, taxonomic reports, bibliographies, tables, in the nature of hand-books for experts.

IV. Proceedings of the National Museum. This is our readiest medium of publication and is much like the journal of

learned societies, containing short descriptions of species, accounts of new collections and such matter as secures priority to the author and readiest knowledge to those interested.

V. Bulletins of the National Museum. These resemble very closely the series of historical papers issued by your own department of the University. Long or short, they represent concisely what the author has to say on that special theme. All of these publications and more, are sought to be deposited with institutions and men who want them. Without boasting, it may be said that the Smithsonian has to its utmost ability carried out this purpose. And you will readily see that such broadcast dissemination of scientific literature brings back from every land, from every society and from many individuals a generous response in three directions, the gift of books, the gift of pictures and the gift of things.

The Library of our establishment, therefore will consist mainly of the results of barter or exchange of kind. Whatsoever a man soweth, that will he also reap, comes literally true with us, and by every mail and express pour into our lap reports of government aid to science, Proceedings, Transactions, Journals, Reviews, Bulletins, Reports, Monographs, Zeitschriften, Mittheilungen, and what not, from every land and in every tongue. These all find lodgment in the custody of our librarian who portions them out as follows:

1. To the Sectional Libraries. These resemble precisely your Seminary library.

2. To the Library of Current Literature. This is a reading room devoted to serials where they remain until the volumes are completed, open to the public as well as to the Museum staff.

3. To the Museum Working Library. The depository of all books that are likely to be called for any day. It is a working library for the entire Institution.

4. The Smithsonian Deposit in the Congressional Library. By special act of Congress that library is the curator of our literature not immediately needed in our work.

If you will allow your imagination a little play you will see extending from the brown stone building in the mall at Washington tracks to all the centres of thought and knowledge, with tiny cars flying to and fro carrying and bringing leaves, pam-

phlets and great volumes to increase and diffuse knowledge. In reality there is once in a while friction, miscarriage, break-down, but all that is due to human weakness not the plan. If the interpretation of Mr. Smithson's bequest made by the distinguished men living and dead whom I have named could be realized, the golden rule would be in vogue among the fraternity of science and each man would be made sharer in the happiness of all.

For the accumulation of knowledge we need to explore new territory. In many departments of research we have laborers in the field. Of those I cannot speak familiarly. But in our own department of human history, I am happy to say that we have our Bureau of Ethnology, under the management of Major Powell, containing such specialists as Mallery, Henshaw, Thomas, Holmes, Dorsey and Gatschet. This Bureau has its own admirable series of Contributions, Reports, Monographs and Bulletins.

After all, the most apparent result of our system is the National Museum under the management of the Smithsonian Institution.

The Assistant Secretary of the Smithsonian Institution is the Director of the National Museum. Under his charge with more or less perfection of organization are twenty departments, all receiving their material through a single office of registration, all operating through the same central office of exchange, all reporting to the same director and all publishing the results of their work in the same series. It was perfectly justifiable therefore for Professor Langley to say to a distinguished visitor who asked "Do you know where to find each one of the three millions of objects under your charge?" "No, but I know where the man is who can put his hand on each specimen in some minutes."[1]

To be completely in accord with the naturalists the technographer has need to work in three directions, he must be a collector, an artist, and an author. A perfect museum of Ethnology

[1] All of the "exhibition series" in the National Museum are set up in cases which in a few moments can be rolled into the lecture room. During six months of the year public free lectures are there delivered, notable among which is the "Saturday Course," conducted by a joint commission of the scientific societies of Washington.

therefore embraces its cabinets, its portfolios, and its archives, and the curator himself must attend equally to his collecting, his picture-making, and his manuscripts.

THE STUDENT	COLLECTS	IN HIS	FOR THE GENERAL	IN THE FORM OF
I.	II.	III.	IV.	V.
Collector	Things	Cabinet	Museum	Things at rest; Pictures and Models of things in action; Description, Classification, Comparison.
Artist	Pictures	Portfolio	Gallery	
Author	Literature	Archives	Library	

Nor is it enough to collect specimens, make pictures of their parts and of their aggregations, and write an accurate description of them. A museum is composed of a vast number of things which are not only related to the men who used them and to the things in whose company they were used at home, but they are now to be correlated with other things from every quarter of the globe. The first thought that engages a curator's mind when a new thing has been properly catalogued and cared for is, where to put it. The answer to this question depends upon the classific concepts which he has previously formulated in his mind and the order in which these concepts have precedence. The major concepts governing the anthropological museums of the world are Race, Nationality, Location, Materials, Elaboration and Function. Indeed, so hopelessly are the first three confounded, that we can reduce the ruling concepts to four, Place, Material, Evolution and Function. The British Museum, the Trocadero, Stockholm, Copenhagen, Berlin, Dresden, and in our own country, the Peabody, adopt the locative concept as uppermost; while Oxford, South Kensington, Guimet, Cluny, Leipsic, and the National Museum favor the other concepts for the dominant ones. It is not to be understood that any one of these discards the ruling concept of the other, it is merely subordinated and this subordination establishes at once the tone, the genius, the total aspect of the place.

It is not necessary to enter into a discussion here of the comparative merits of administrative plans. They are all good, each bringing out phases of truth overlooked in others and it is only by a comparison of results that the whole truth may be reached.

In order to make myself perfectly clear let me take a familiar example. Suppose there comes to the Museum a harpoon, what may be done with it?

1. One curator would ask from what part of the world does it come? He desires to collate the specimen with regional questions. His concept is chorography, and when he has made his series complete he will give you a lecture on environment, showing how the suggestion of nature, like that of the hypnotist, has guided the thought of the inventor and made it impossible for him to move except in certain directions.

2. Another curator will place the same example in a series according to the elaboration of its structure. The laws of invention like the laws of evolution work from the simple to the more complex.

Mr. Tylor tells us that it is almost inconceivable for a people to abandon a useful invention unless its necessity has ceased. It is quite safe for your class in history to utilize this rule even in the study of institutions. A museum arranged wholly on this plan would resemble the one in Oxford founded by General Pitt-Rivers.

3. A third curator would take the harpoon to an alcove wherein he had determined to deposit all his possessions from a given people. His purpose is to show you how each breed of men dresses, houses, exerts, organizes itself. A perfect installation in this line would be the history of a people written in things. This is called the ethnographic method, and is most successfully carried out in Cambridge, Mass., the British Museum, Copenhagen, Dresden, and Berlin.

4. A fourth curator would say, I do not care so much about the race which used this object. My concern is with the nation whose interests it served. There are in many European capitals elegant museums organized to show the progress of art during various reigns and dynasties. The Kunstgewerbe Museum, in Berlin, adjoining the Royal Ethnographic, rivals it also in the richness of its material. There is in Copenhagen a National Gallery in the old palace of Rosenberg, through which you may walk and spend a brief time with each sovereign of the Kingdom.

5. Our wandering specimen may fall into the hands of a technologist, who will say at once whether or not the piece is in his

line. The student of naval architecture would give the harpoon away, while the Fish Commission curators would embrace it with heart-felt affection.

6. We must not forget the curator whose primal concept is substance or material. The Royal Museum of Ireland and the India Museum of London are splendid specimens of vast masses thus displayed, but you will recall at once the costly cabinets of jade, of ivory, of keramic art brought together solely to show how a definite substance has become tangled in the meshes of human history.

7. Indeed there are those who would not give a fig for the specimen if they could not get at the native name therefor. For by means of this shadowy museum of names they hope to and they do trace races, peoples over the face of the earth and establish their relationship.

Recall if you please what was said about the structure of the National Museum. It is not one but many. The division of Anthropology has its Department of Prehistoric Anthropology which you will visit with Mr. Wilson to-morrow; the section of Oriental Antiquities, and of the Historical Association; its Department of Ethnology, in which the question is one of race preëminently, and its technographic, or Arts and Industries Department, in which specimens of all the problems enumerated are wrought out so far as the material will permit.

In the musical series it will be easy to show how time or rhythm and not tune is the starting point of music. It will be easy to show how from vibratory mass, a vibrating string, a vibrating column of air, a vibrating shell, four series of melody and harmony have been elaborated.

It will be possible to see the most primitive of all devices for gathering the harvest of the waters and to follow the lines of invention up to the latest scientific appliances for deep sea dredging.

You may study at your leisure the bark-boats, the hide-boat, the raft, the dug-out as the first lesson in navigation given by Dame Nature respectively to peoples living in birch tree regions, buffalo regions, surf-beaten shores, or in the land of the knife-inviting cedar.

From this rude primary school you may see how man has worked out the hull of the Majestic, how from a grass mat to catch the wind or a rude paddle, have come the four-masted schooner and the double screw.

Only a step or two will bring you face to face with the problem of the Pullman palace train. There she stands at the other end of the series, a savage woman with a burden on her back or head, mother of Atlas and the Caryatides, pointing through the ages at beasts of burden, wagon trains and the locomotive as her offspring.

Perhaps you are an admirer of the Promethean myth or a disciple of the simple-hearted Diogenes. Follow with your eye along this series beginning with two dried sticks and ending with an electric button; beginning with a hole in the ground as in Samoa and ending with the modern cooking range of the University club; beginning with the fire-fly lamp, by the light of which, all night long, in the Dismal Swamp, an imaginary loved one in white paddles her light canoe, and ending with the incandescent burner over head.

The path along which it is possible to track the inventive genius of man into broader and smoother avenues of culture are numberless. Only a few have been wrought out in our Museums. You are doing a wonderful work in the same direction by tracing the primitive societies to their sources, for you will not find one source for all social structures any more than one source for naval architecture in the bark-boat, the skin-boat, the raft and the dug-out. Their common cause is the desire and the intention of the inventor to get across the river and the common cause of all social structures is in that unsatisfied being called man, whose superabundant brain will lead him from utter ignorance and helplessness to the possession and understanding of the earth. As fast as these processes have been unfolded our museum has endeavored to give them visible expression. Indeed we have a few choice series in which we have sealed an author's book, his pictures and his type specimens in a single cabinet that the written page may stand by the side of its material witnesses. A few of us who have loved to participate in this formative period of new historic study, with tender solicitude and great faith, will soon hand our slate and book of problems to our young successors.

The golden harvests which you will surely reap make us wish to renew our youth and thrust in the sickle. Take it from our hand, however, or rather invent a better one and go forth with our benediction. The page of history is not square but triangular. Its base is over the present, its apex a few milleniums in the past. It covered at no time all mankind, and it can scarcely be said to do so now. Outside of the area overspread by this written page lies the most territory, inhabited by unhistoric peoples. They have written not one word concerning their own affairs, and about many of them, so far remote in time or place are they, not one word has been written. These are the prehistoric and the extrahistoric races and tribes, whose lips of stone are to speak to you the story of our race.

XI-XII

SEMINARY NOTES

ON

RECENT HISTORICAL LITERATURE

JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE

HERBERT B. ADAMS, Editor

History is past Politics and Politics present History — *Freeman*

EIGHTH SERIES

XI-XII

SEMINARY NOTES
ON
RECENT HISTORICAL LITERATURE

BY DR. H. B. ADAMS, DR. J. M. VINCENT,
DR. W. B. SCAIFE, and others.

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INTRODUCTION.

The following Seminary Notes on Recent Historical Literature represent some of the first fruits of coöperative reading and reviewing by Johns Hopkins graduate students in their own department of History and Politics. Many of these notices have been elsewhere printed and are here reproduced in a somewhat abridged form. It is hoped that this collection of student-reviews and digests may be of suggestive service in the development of other and better annual reports of American contributions to historical science. Such reports or annotated bibliographies are much needed by students and readers of history, as well as by librarians and book-buyers.

The present system of reviewing as represented by our popular magazines, weekly journals, and daily newspapers, while useful in a way to the book-trade and to the general reader, is very unsatisfactory to the specialist. Such notices are written from a great variety of motives. Some reviews are manifestly in the interest of science and good literature. Others are in the interest of publishing houses and the makers of text-books. Still others are for the encouragement of authors. Many are for the amusement and private satisfaction of critics, who sometimes embrace the opportunity of displaying their own superior wisdom and of indicating what clever books they could write if it were worth their while. Whatever the motives of the review and of the reviewer, he and his observations are soon lost sight of in the downward current of periodical literature. Few people ever take the trouble to look up that drift-wood called "back numbers" for the sake of book-notices. In order to give any real historic life and usefulness to literary decisions, the best judgments should be codified under generic titles. What Sydney Smith called "the trade of book-reviewing" must be more and more specialized in various departments of literary criticism. We should have in this country either an annual digest of the best opinions on all the books that have appeared in the various classes of publication, or at least a complete bibliography topically arranged.

The *Revue Historique* in Paris set the world a good example, in 1876, in beginning to publish systematic reports concerning the progress of historical literature in various countries. Dr. Austin Scott, recently elected President of Rutgers College, but then (1876), connected with the Johns Hopkins University and associated with Mr. George Bancroft in the revision of his History of the United States, first assumed the responsibility of being the American correspondent of the *Revue Historique*, and, at

his request, some assistance in collecting materials for a report was rendered by the editor of these University Studies. The burden was next undertaken by Professor William F. Allen, of the University of Wisconsin, who, after contributing several valuable reports from 1880 to 1885, persuaded Johns Hopkinsians to resume their load, on the ground that he was working alone and at a distance from libraries and centres of publication. If Hopkins men, by coöperation, can ever approximate to the excellent work done for the *Revue Historique* and *The Nation* by Professor Allen, single-handed through a long term of years, our young Americans will have deserved well of their country.

The *Historische Zeitschrift*, founded in 1859, and long edited by Heinrich von Sybel, while never attempting a general and comprehensive review of the progress of American historical science, has given from time to time considerable attention to American contributions. Distinguished among German reviewers of historical works on America are the names of Friedrich Kapp[1] and Professor H. von Holst. The very first scientific recognition of original historical work done at the Johns Hopkins University was given in 1878, from the pen of von Holst, in the *Literaturbericht* of the *Historische Zeitschrift*, vol. 40, second Heft, pp. 380–384. The first American note on this point was from the pen of Professor William F. Allen in *The Nation*, December 12, 1878. Professor Allen was the first to make the Johns Hopkins University Studies known in France through the columns of the *Revue Historique*, 1883. The first Baltimore contributions to the *Literaturbericht* of the *Historische Zeitschrift* began in the year 1883. They were reviews of American historical literature by J. F. Jameson, Ph. D. (J. H. U. 1882), Associate in History from 1882 to 1888, and now Professor of History at Brown University. Although Dr. Jameson had never been in Germany he learned German so well in Baltimore that he wrote his reviews in that language and they were printed exactly as he wrote them. Professor Raddatz, of the Baltimore City College, who read some of Dr. Jameson's critical notices before they were sent to Germany, remarked, in the hearing of the writer of this note, upon their good German style. Dr. Jameson's contributions[2] to the *Historische Zeitschrift* were continued at intervals from 1883 to 1888. His most recent articles, published in Germany, are two valuable papers in English, on Historical Writing in the

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1 Worthy of special note is Kapp's "*Zur deutschen wissenschaftlichen Literatur über die Vereinigten Staaten von Amerika*," *Historische Zeitschrift*, Bd. 31, 241–288.

2 These various contributions were as follows: Reviews of Bancroft's *Formation of the Constitution*, Scott's *Development of Constitutional Liberty*, Doyle's *English Colonies* (I), Lowell's *Hessians*, Schouler's *United States*, (I, II), Curtis's *Buchanan*, McMaster's *United States*, (I), Parkman's *Montcalm and Wolfe*, the first nine volumes in the *American Statesmen* series, and Doehn's *Beiträge zur Geschichte der nordamerikanischen Union*. These reviews appear in Von Sybel's *Historische Zeitschrift* Neue Folge, Bd. XV., pp. 189–191, 559–561; Bd. XVII., pp. 182–186, 381–382; Bd. XXI., pp. 180–190; Bd. XXVI., p. 188 (1884–1888). This statement is copied from the Annual Report of the American Historical Association for the year 1889, pp. 282, 283.

United States, (1) 1783–1861, and (2) since 1861.[1] These were originally given as lectures in the hall of the Johns Hopkins University.

Since the year 1878 the *Jahresbericht der Geschichtswissenschaft* (*im Auftrag der Historischen Gesellschaft zu Berlin*) has devoted some space to annual reports on the progress of American Historical Literature. These reports, from 1878 to 1887, were prepared by Dr. von Kalckstein. In 1888 the editor of the *Jahresbericht*, Dr. J. Jastrow, of the University of Berlin, a pupil of Leopold von Ranke, and one of the first German scholars to recognize the significance of the Johns Hopkins University Studies to historical and political science, requested the editor to undertake, with such coöperation as he might see fit to engage, the representation of American Historical Literature in the annual report of the Berlin Historical Society. This Prussian *Jahresbericht der Geschichtswissenschaft* attempts to cover the progress of historical literature in all countries and in every field. There are over fifty sub-editors or national correspondents. The long series of annual volumes, each containing eight or nine hundred closely printed pages, is the most comprehensive and valuable historical bibliography in the world. Each volume is richly annotated and contains a full index to all books reviewed. Each is a clearing house report of the world's contributions to history. Two annual reports representing America and comprising over seven hundred and fifty titles have been prepared by Dr. J. M. Vincent, librarian of our historical department, with some assistance from the director and members of the Seminary. The work is really too vast and laborious for any individual to carry alone. Division of labor and coöperation are and always have been the economic methods of the Historical Seminary. By the aid of these methods we hope to make a path through the great wilderness of recent historical literature.

We know the difficulties lying in the way of any complete and comprehensive survey, even for a single year, of the historical literature of our own country. First and foremost is the difficulty Professor Allen experienced, that of discovering the new books. At the present time, American historical science is in such a scattered and unorganized condition that there is no sure way of finding all the new materials that are annually contributed to it. And even if there were a good index, the practical difficulty of obtaining every new historical treatise is soon apparent to any department librarian who attempts to do his duty or to get any special favors from publishers or other sources. We have simply done what we could with such materials as have come to us by gift, exchange, or purchase.

In undertaking to review or describe a book our students have endeavored not to display literary fireworks or to construct a learned essay out of other men's labors, still less to cultivate the merely negative faculty of hypercriticism, but to tell in a frank, honest way what the author has attempted to do.

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[1] *Englishe Studien, herausgegeben von Dr. E. Kölbing* (Heilbronn, Gebr. Henniger), Bd. 12, S. 59; Bd. 13, S. 230.

A purely objective statement of what the book really is, has been recognized in this department as the first duty of our young reviewers. To reproduce some image of the work under consideration, to give a fair idea of its contents and real worth has been their sincere intent.

The Historical Seminary is a training-school for college graduates who hope to become professors or teachers, editors and reviewers, and practical workers towards good citizenship, whether in educational, social, political or literary ways. We regard all our work as an educational process, not as a finality. If these Seminary Notes contribute in the smallest degree towards the literary development and self-help of our university men, and towards the evolution of the larger idea of organizing American historical science, these pioneers have not labored in vain.

Other and larger forces than Historical Seminaries are already tending in this country towards the organization of the *disjecta membra* of American History. The American Historical Association, composed of six hundred historical specialists and their associates, has been chartered by Congress "for the promotion of historical studies, the collection and preservation of historical manuscripts, and for kindred purposes in the interest of American history and of history in America." This Association is now in organic relations with the Smithsonian Institution, and, through its Secretary, is under obligation to report annually to Congress concerning the progress of historical studies in the United States. Such an annual report by the Association will require coöperation upon a large scale by representatives of our American Universities and State Historical Societies. The sooner our young Seminarians are trained to work together along coöperative lines, the better will be their results and the stronger and more useful their final combinations.

Meantime, many of the members of the Association have united, under the editorship of Paul Leicester Ford, of Brooklyn, and A. Howard Clark, of Washington, in the production of a Bibliography of individual contributions to historical science and literature. This Bibliography, properly indexed, together with certain selections from the proceedings of the Association, has been accepted as the First Annual Report of the American Historical Association to Congress and is now in press in the Government Printing office. A complete Bibliography of all the published work of all our State Historical Societies is in preparation by Mr. A. P. C. Griffin, of the Boston Public Library, and will undoubtedly be published for the Association as one of its future annual reports. In such ways the work of organizing American historical science is advancing. Other forms of promoting American History and of History in America will doubtless be developed when the spirit of scientific coöperation becomes stronger in our American Universities, and when the sympathies of our State Historical Societies grow more national.

H. B. Adams.

SEMINARY NOTES ON RECENT HISTORICAL LITERATURE.

General American History.

By far the most important contribution to historical science in the United States during the past few years is the Narrative and Critical History of America, edited by Mr. Justin Winsor.[1] This work is a complete history of North and South America in eight royal octavo volumes. The editor has had the co-operation of the State historical societies and of many of the historical specialists in different parts of the United States and Canada. The whole work is blocked out into great subjects, one for each volume. These subjects are subdivided into special chapters, each of which has a special author. Each chapter has two portions, a narrative and a critical. The first gives, in large type, an attractive and condensed account of the most important facts connected with the topic in hand. The second part, in smaller type, contains a critical disquisition upon original sources and disputed questions. The narrative part of each chapter is for the general reader. The critical part is rather for the scholar and student who wishes to verify authorities and to investigate for himself.

The first volume is chiefly the work of the editor himself, and bears the sub-title "Aboriginal America." The introductory chapter and the appendix taken together furnish most

[1] Winsor, Justin (Editor). *Narrative and Critical History of America.* 8 vols. Octavo. Houghton, Mifflin & Co., 1889.

valuable information respecting the bibliography of the subject and the location of Americana in libraries and collections. Mr. W. H. Tillinghast opens the narrative proper with a chapter on the geographical knowledge of the ancients considered in relation to the discovery of America, and Mr. Winsor follows with an account of the Pre-Columbian explorations. The ancient civilizations of Mexico, Central America and Peru are described by Mr. Winsor and Mr. C. R. Markham with abundant illustrations and references to the sources of information.

Dr. Geo. E. Ellis furnishes a chapter on the red Indian of North America, as he was found by the French and English on their arrival. The wild tribes at the time were in a state of constant hostility to one another, and it was by taking advantage of these relations that the new comers assured their own safety. The ways in which the Indians were used by the different nationalities to further their own interests, and the history of Indian contact with the whites, down to the Revolutionary period, are carefully set forth.

The pre-historic archæology of North America is treated by Mr. H. W. Haynes. Mr. Winsor closes with a chapter on the Progress of Opinion respecting the Origin and Antiquity of Man in America, which one might call an example of illuminated bibliography.

Of the second volume more than one-half is the individual work of the editor, so that the latter term is somewhat too modest for the proper characterization of Mr. Winsor's part in it. The period of discovery forms the subject of treatment by S. H. Gay, Dr. Edward Channing, John G. Shea, Dr. Geo. E. Ellis, Henry W. Haynes and C. R. Markham, each representing a different field of exploration. Decidedly the most original and striking feature of Mr. Winsor's work is the skilful use which he has made of fac-simile reproductions of historical maps of discovery. Never before, in the writing of American history, has there been such a vivid presentation

of the gradual unfolding of the new world as revealed in the consciousness of those early voyagers.

English explorations and settlements in North America are the theme of the third volume. Mr. Charles Dean treats of the Cabots; Edward Everett Hale, takes up Hawkins and Drake; William Wirt Henry, Sir Walter Raleigh; and Charles C. Smith, the explorers of the northwest. Numerous writers, whose names have been connected with other publications in their special fields, describe the colonization of New England, the middle states and Maryland, while the settlements of the Portuguese, Dutch and Swedes, during the period 1500–1700, is given in the fourth volume, along with more extended notice of the explorations of the French.

The subject of the fifth volume is "The English and French in North America, 1689–1763." The limits of the period are well chosen. Certainly the revolution of 1688, with the consequent changes in the colonies and the extinction of French power in America, are the important dividing lines in colonial history. Mr. A. McF. Davis treats of the history of Canada and Louisiana, special attention being given to the early history of this latter colony, both in the narrative and the critical chapters. Of special interest is that part of Mr. B. Fernow's article on the "Middle Colonies," which treats of manufactures and commerce. In spite of British interference and the competition of agricultural pursuits, there existed the germ of that industrial development which has given the Middle States their manufacturing character. The economic history of the American colonies is a fruitful field for study, and all contributions to it should be welcomed.

The story of the Carolinas and Georgia is told by special students of those sections; the wars of the northeastern seaboard by the author of the chapters on the northwest. In his essay on the "Authorities on the French and Indian Wars of New England and Acadia, 1688–1763," Mr. Winsor summarizes the various views that have been held on the removal of the Acadians, justly observing that "the question is simply

one of necessity in war, to be judged by laws which exclude a gentle forbearance in regard to smaller, for the military advantages of larger communities."

In the last and longest chapter of the volume the editor describes "The Struggle for the great Valleys of North America." The narrative is chiefly concerned with the French and Indian War, tracing out its history in detail. Besides the critical essay there are notes on the early movements of the colonies toward union, the cartography of the region of the Great Lakes in the eighteenth century, the peace of 1763, and similar topics.

The sixth volume is devoted to that transitional period of American history known as the Revolution. Properly viewed, this extends from 1763 to the adoption of the Constitution in 1789. Under the title, "The Revolution Impending," Mr. Mellen Chamberlain discusses the causes of that movement with admirable breadth of view. It is shown to be "no unrelated event," but "a part of the history of the British race on both continents." It was a strife between two parties, the conservatives in both countries as one party and the liberals in both countries as the other party; a contest between two different political and economic systems. Yet the desire for separation was a matter of evolution. Dr. Ellis, in his chapter on "The Sentiment of Independence, its growth and consummation," says that, although the spirit of independence was latent in American colonies, "the assertion needs no qualification that the thirteen colonies would not in the beginning have furnished delegates to a congress with the avowed purpose of seeking a separation."

Two different writers contribute as many excellent chapters to the military movements of the Revolution. Mr. W. F. Poole closes the volume with an article on "The West, from the treaty of peace with France, 1763, to the treaty of peace with England, 1783." We have here a clear exposition of the "cold and selfish policy" of the English government in the west, the evident purpose to exclude these lands from set-

tlement by the American colonies, lest by this the fur trade might be injured. Much emphasis is given to the achievements of George Rogers Clark, the writer holding that his services secured for the United States the Mississippi as its western boundary.

The seventh volume opens with a chapter on the "United States of America, 1775–1782; their political struggles and relations with Europe." The author, Mr. E. J. Lowell, essays "to describe the attempts made by the United States during the early part of the Revolutionary war to obtain recognition and aid from foreign countries, and to raise the money necessary to carry on the struggle." The diplomatic situation in Europe is considered so far as it affected the war.

"The Peace Negotiations of 1782–1783" form the subject of Hon. John Jay's contribution. In opposition to the view, until recently almost universal, which assigns the credit of the treaty of 1783 to Franklin, Jay is here presented as the important figure in the negotiations and the one to whom their final success is due. His suspicions of the French court are justified by clear proofs of its hostile attitude.

"The Loyalists and their Fortunes;" "The Confederation, 1781–1789;" "The Constitution of the United States and its History;" "The History of Political Parties;" "The Wars of the United States;" "The Diplomacy of the United States;" are titles of the more important chapters, the period covered lying between 1775 and 1850.

The eighth and concluding volume is devoted to the later history of British, Spanish and Portuguese America. On the British side there are chapters on the "Hudson Bay Company," by Dr. George E. Ellis; "Later Arctic explorations," by Mr. Charles C. Smith, and "Canada from 1763 to 1867," by Professor George Bryce, of Manitoba College. Spanish North America is treated by the editor, and Mr. Clements R. Markham writes on the "South American colonies and their wars of independence." Historical geography keeps its prominent place, the chief contribution being Mr. Winsor's study

of the historical chorography of South America. Mr. Winsor's indispensable essay on the manuscript sources of United States history with particular reference to the Revolution, describes not only the contents of federal, state and foreign archives, but the chief papers in private collections as well. An account is also given of the comprehensive printed authorities on our history as a whole, and on some of its phases. The work closes with a chronological conspectus of American history and a general index. Such criticisms as might be made on this work apply to it as a whole, rather than to the separate chapters, which are for the most part excellent.

The student of American national history cannot help feeling that the period since 1789 has received inadequate attention. With all of the sixth volume and nearly one-half of the seventh devoted to the Revolution, one would expect a treatment of our later history in some degree proportional. Another defect is a tendency to limit history to war, diplomacy and party struggles. There are many subjects, educational, social, economic, which form an important part of our history and on which at least a reference to authorities would have been desirable. One feels the lack of some account of witchcraft, and if the struggle against slavery was not contemplated in the work, a chapter on the institution as it existed would have been more than appropriate.

But if we have expected too much we may not lose sight of the manifest excellencies of what we have, for the history is a worthy monument to American scholarship.[1]

The contents of Prof. Johnston's[2] volume appeared first as the Encyclopedia Britannica article on the History and Constitution of the United States. The book contains less than

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[1] Abstract of fuller notice by H. B. A. and C. H. H. in *Revue Historique*, May–June, 1890.

[2] Johnston, Alex. *The United States, its History and Constitution.* 286 pp. D. Chas. Scribner's Sons, 1889.

three hundred pages, but in this short space there is given a sketch of the most important facts of our country's history, and, what is far more, a very satisfactory explanation of underlying principles. The author is particularly happy in his discussion of the formation of the Constitution, and his account of the political parties growing out of different interpretations of this instrument. There is displayed a commendable desire for fairness, but readers who differ from Mr. Johnston in sectional and political prejudices will not acknowledge that he has risen to a plane of absolute impartiality. The clearness of the style is especially to be commended.

The work is admirably suited to become a text-book in our high-schools and colleges; and intelligent readers everywhere will be pleased with its many excellencies.

Mr. Patton's[1] two volumes have been prepared with reference to the wants of intelligent people who have outgrown school text-books, but have not sufficient leisure for the use of the most elaborate histories. They attempt to trace the influences which have been of chief importance in moulding our moral, social and political character as a nation. They aim to present only such facts as are of permanent interest; and the details selected are told with the intention of making them reveal the great truths which are behind and beneath them. The work is done under the guidance of the belief that an overruling power guided our affairs to the accomplishment of results which man could not foresee.

That the narrative covers a wide range is evident from the fact that it is not confined to the acts of soldiers and statesmen; but a prominent place is given to such men as Daniel Boone, Noah Webster, Bishop White, Thomas Coke, William Wirt, Washington Irving, Robert Fulton, Eli Whitney, William Cullen Bryant, James Gordon Bennett, Sr., Horace

[1] Patton, J. H. *A concise History of the United States.* 2 vols. O. N. Y. Fords, Howard and Hulbert.

Greeley, Elias Howe, Hawthorne, Whittier, Beecher, Theodore Thomas, Drs. Hodge and Woolsey, Longfellow and Emerson.

Ninety-eight portrait illustrations and three maps are noteworthy features of the volumes. The closing chapter gives a brief account of the actual working of the different branches of national, state and territorial governments. An appendix contains the Constitution of the United States; lists of the presidents of the Continental Congress, of the Chief Justices of the United States Supreme Court, and of the Presidents of the United States; tables of the population of the different states, territories, and forty-five leading cities are added. A full table of contents and both an analytical and topical index add to the value of these volumes as a work of reference.

A. W. S.

To those acquainted with the monumental Statistical Atlas issued from the same press in 1883, Mr. Hewes' work[1] needs no special introduction. The necessarily high price of the former prevented, however, its becoming as widely known as its merit deserved; the present, containing less matter and being mostly printed from plates that have already paid for themselves, can be offered at a greatly reduced price. Here are assembled in small compass and represented in a most striking manner, the main facts and figures of our national history. The growth and character of the population, the returns of the national elections, the development of our productive energy both agricultural and manufacturing, together with a great mass of facts as to wages, the tariff, and cost of the necessaries of life,—and all these are shown in such a manner that he who runs may read and even the uneducated can understand.

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[1] Hewes, F. W. *Citizen's Atlas of American Politics*, 1789–1888. Folio. Chas. Scribner's Sons, 1888.

The atlas contains twenty-two folio pages of charts, mostly colored, of which five are new and a sixth has a new addendum. To those are added twelve pages of explanatory text, besides which there are many valuable tables on the charts themselves. Since publishing this Atlas the same firm has issued a chart showing the returns of the presidential election of 1888. Without going into details we may briefly notice some important facts here brought into prominence. On the first chart is a table of "Government Losses by Administration." These "losses" represent the difference in amount between what the people paid in taxes and that covered into the United States Treasury. During Washington's administration they amounted to $2.22 on every thousand dollars collected, while under Hayes the loss was less than one cent per thousand. The table of votes for President shows some curious phenomena concerning the popularity of various candidates.

The atlas contains a large number of interesting facts as to the number and distribution of the foreign-born element in the United States. It may be worth while to note that the nationality most largely represented under this category is the German, this element in 1880 numbering 1,966,742. In connection with the very interesting questions as to our relations with Canada, it may be observed that we have within our borders almost as many who were born in British America as have come to us from England and Wales; there being 717,157 of the former and of the latter 745,978.

One of the most instructive parts of the work under consideration, and one not contained in the large Statistical Atlas before referred to, is that devoted to the tariff, wages, and the cost of the necessaries of life. The most striking feature is the tremendous influence of war. One thing, however, that we seriously miss is some indication as to the origin and nature of our various tariff laws, for here are cases where law exercises a very marked influence on the march of events.

To one more of these interesting charts we would like to call attention, viz., that representing the history of the American

carrying trade. In 1826, the first year for which data of this nature are given, twelve times as much of our shipping was done in American ships as in foreign vessels; in 1887, six times as much was carried in foreign vessels as in those under the American flag. In other words, in 1826 more than 92 per cent. of our imports and exports were carried in ships bearing the national flag, while in 1887 only 14 per cent. of the same were on the high seas under the national colors. Here again we should have some hint as to the history of our navigation laws.

Altogether this Atlas affords us a valuable object lesson in national history, and is a fine example of the extent to which pictorial representation of the dry facts of statistics may be legitimately carried. W. B. SC.

"Great Words from Great Americans,"[1] is the title of a small volume, which, in addition to the Declaration of Independence, and the two instruments of government adopted in 1781 and 1789 respectively, contains the best words of two of our greatest presidents, Washington and Lincoln; the Farewell and Inaugural addresses of the one, and Inaugural addresses, and in part, the Gettysburg Oration of the other. The book contains, also, the excellent feature of an index to the Constitution. The compiler's aim is probably to encourage by this attractive and convenient form, a more frequent reading of memorable words, at present in danger of receiving less attention than their merit and importance deserve. W. W. W.

The second volume of Mr. Richardson's work treats of poetry and fiction, and begins with "Early Verse-Making in America."[2] The stern Puritan of New England had no soul

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[1] *Great Words from Great Americans.* 207 pp. 16mo. N. Y. G. P. Putnam's Sons, 1889.

[2] Richardson, C. L. *American Literature*, 1607–1885. Vol. 2. N. Y. G. P. Putnam's Sons, 1889.

for poetry. He could preach, write diaries and descriptions, and make an occasional plea for liberty; "but his poet was neither born nor made." The dawn of the present century brought improvement; but excepting Joseph Rodman Drake, Richard Henry Wilde, Fitz-Greene Halleck and Bryant, no names of importance appear in this period. Drake gave promise of greatness but died early; Halleck had a spark of poetic fire, and Bryant is relatively, but not absolutely of the first rank. The author is enthusiastic in his praise of Longfellow, and defends him vigorously from the charge, that his poetry is merely the production of a cultivated gentleman, unimaginative and didactic, pleasing but nothing more. His great work in helping to elevate the standard of American culture is properly emphasized, and his poems portraying the imaginative life of the Indian, all receive their due meed of praise. But the author frankly admits that "others have often rivalled or surpassed him in special successes or peculiar fields."

Edgar Allen Poe is still unforgiven. His chief merit is that he was born in Boston, his greatest error that he criticized the work of Longfellow. He is a dreamer, and sees always a vision of beauty hanging over him; he is a poet of weird woe, and is original in his own field; but much of his work is thin and artificial and like that of a "sublimated Sophomore."

The extremes of Emerson's work are found in his poetry. It is his serenest heaven and his most convenient rubbish heap. Under "Poets of Freedom and Culture" are discussed Holmes, Whittier and Lowell. To the realistic poems of Walt Whitman thirteen pages are given.

After discussing the "Belated Beginning of Fiction," the author passes rapidly to James Fenimore Cooper, who developed and may almost be said to have discovered the wilder American field for fiction. He is the sea novelist of the English language and the American novelist of action. "His success has always depended upon force of creation and vigor

of description." Hawthorne is an artist; the human heart is his highest and most constant theme, his field of study and portrayal. The closing chapter deals with movements in fiction since 1861. These productions are superior to those of the second rank of the former period, but no master has yet appeared.

The author's style is not always good. He sees too little merit in men who are not of the first rank, and is too fond of such expressions as "ephemeral," "fading," "time buries," "serene oblivion" and "permanent shade." His work cannot be called a History of American Literature in the broadest acceptation of the word. S. B. W.

American Colonial History.

In a little book of about two hundred pages, Miss Moore attempts to relate for young readers, the story of the settlement of Plymouth and Boston, as far as possible in the words of the early settlers themselves.[1] The introductory chapters contain a short account of the Separatists and Pilgrims under James I. and Charles I., followed by a sketch of the domestic economy of the Massachusetts Indians.

The story of Plymouth begins with William Brewster at Scrooby in Lincolnshire. A glimpse of the Pilgrims at Leyden precedes the departure of the Mayflower for the Hudson River. The landing on Cape Cod, and the voyages of discovery are well illustrated by maps taken from Mourt's Relation. The choosing of Plymouth for the place of settlement receives notice; then follows the rise of the "Indian Question;" the hostility of the "Great people of Ye Narrogansetts;" the recovery from illness of Massasoit, chief of the Massachusetts Indians by the aid of Winslow. The trials and dangers of the colony are well told. Final success is assured by the arrival of the Anne and Little James, bringing much needed supplies.

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[1] Moore, N. *Pilgrims and Puritans.* 197 pp. 16mo. Boston. Ginn & Co., 1888.

The origin of Boston is traced to St. Bodolph's settlement in the wilds of Lincolnshire in the seventh century, on the site of his monastery Botolston, or Boston. Here in King James's time there was a church, of which Mr. John Cotton was pastor. He, with John Winthrop and others of his followers, crossed the ocean and landed at Salem. William Blackstone, coming from England because he did not like the Lord-Bishops, took up land which in time became new Boston. Having persuaded Governor Winthrop to occupy part of his land, he later withdrew again into the wilderness, "because I would not be under the Lord-Brethren." The book is well supplied with maps and illustrations, and is agreeable in manner and method of presentation. J. L. W.

Mr. Markham's work makes no pretence to original investigation.[1] His narrative is made up from different sources, largely from contemporary writers, of whom Church is the best known, perhaps, in our day. After a brief survey of the relations of the early New England colonists with the Indians, an account is given of the Pequot troubles and the resulting state of public opinion in the four colonies, during the forty years which elapsed between the extermination of the Pequots and the declaration of war against the Narragansetts. The uprising of the savages at this time, commonly known as King Philip's War, is not thought by the author to have been due to any efforts for a general alliance on his part. The events of the so-called war, which was little more than a succession of Indian raids and repulses, with the accompanying barbarities on both sides, are narrated in ample detail. The account given by Mrs. Rowlandson of her treatment while in captivity, by the Indians, is quoted at length in

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[1] *Minor Wars of the U. S.* 4 vols. D. N. Y. Dodd, Mead & Co.
Markham, R. *King Philip's War.*
Johnson, R. *The Old French War.*
Johnson, R. *The War of* 1812.
Ladd, H. O. *The War with Mexico.*

the tenth chapter. The achievements of Captain Church are also quite fully described. Perhaps the most commendable feature of the book is its attempt to picture the social relations of the troubled times of which it treats. W. B. S.

Mr. Johnson continues the series with an account of the early attempts at colonization and struggles for the possession of the North American Continent, and ends with the conquest of Canada. The author connects the important events of this period of American history in a readable story, to serve as the basis of a more intelligent understanding of the later history of our country. He points out that the main contest for supremacy in the New World was between the French and English. Considerable attention is given to the part played by the Indian in the continuous warfare of that time; in fact, the book, as its title indicates, is almost exclusively a tale of warfare. Clearly and impartially written, the work is very readable. It is also made convenient for reference by an analytical table of contents, and by the addition of a complete index. Several double-paged illustrations are also inserted in the text. Like the rest of this series it is intended chiefly for popular purposes. J. W. B.

American Revolutionary History.

In Goodloe's *Birth of the Republic*[1] no new theories are advanced, no new points of view are taken, and very little original investigation is attempted; but the writer has compiled, in a convenient and systematic classification, a considerable amount of material bearing upon the critical period of American independence, and collected fron various sources, contemporary and modern. Mr. Goodloe has recognized the

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[1] Goodloe, D. R. *The Birth of the Republic.* 400 pp. D. Belford, Clarke & Co., 1889.

fact that many valuable historical treasures are to be gleaned from the public speeches, private letters, newspapers, and current literature of the time, as well as from the contemporary resolutions, addresses, and legislation of general assemblies, and the accounts of later historians; to all these sources of history he has given due prominence.

The first chapter gives, in considerable detail, an account of the political events in the colonies immediately preceding the passage of the Stamp Act, the history of the passage of this act in the British Parliament, and the result of its attempted execution in each of the thirteen colonies.

The light in which England viewed Massachusetts' action regarding the acceptance, or rather non-acceptance of the Stamp Act, is next reflected in the proceedings of the House of Lords concerning this act of insubordination. Although this account seemingly relates to only a small part of the excited Colonies, it nevertheless indicates the feeling in England regarding the whole of them, and helps to give a clearer idea of the character and extent of the irritating influences which were goading them to open Rebellion.

Having traced the growth and culmination of independence in the colonies as a whole, the author proceeds to describe the movements toward this goal in each separately, gathering his material from a large variety of sources, and setting it down for the most part, *verbatim et literatim.*

To this account of the attainment of collective and individual independence, are added the text of the Articles of Confederation, a brief account of the origin and work of the Constitutional Convention, the Constitution as finally adopted, the first twelve Amendments thereto, and the Inaugural Address of Washington. W. I. H.

Although intended for young readers, John Fiske's book[1] will be useful to students on account of the admirably succinct

[1] Fiske, John. *The War of Independence.* Boston. Houghton, Mifflin & Co. vi + 193 pp. S. 1889.

statement of the great movements of the American Revolution. The author has not attempted to give even as many details as space would allow, but dwells upon the causes of events and the motives and effects of the military operations of the war. V.

In *The Critical Period of American History*,[1] from 1783 to 1789, as the preface states, the author's aim is simply to group the events of the six years succeeding the conclusion of peace with Great Britain in such an order as may best bring out their causal sequence. The culmination of the period, of course, is the constitution itself, and its adoption. The book is chiefly occupied with an exposition of the train of important facts and conditions that made the Federal Convention of 1787 possible, and its results on the whole acceptable. While the work was clearly intended for the general reader, the special student of American history cannot fail to find in it much suggestive and stimulating material. The full bibliographical notes at the end of the volume are to be especially commended.

One of the most noteworthy chapters of the book is the first. In this the reader is made acquainted with the "Results of Yorktown"—not only in America, but in England. To many this vivid statement of the close relation between the success of the Continental arms and the strife and fall of British parties will reveal, perhaps for the first time, a most instructive page in the history of imperial politics. The brilliant diplomatic triumph won by Franklin, Adams, and Jay, is all the more keenly appreciated when viewed in the historical setting which these events give it.

The conclusion of peace, in 1783, as it seems to us now, should have ushered in an era of prosperity in America. This was the hour of victory; but we are not to forget that it was

[1] *The Critical Period of American History*, 1783–1789. By John Fiske. Boston: Houghton, Mifflin & Co.

also a time of the deepest despondency. Mr. Fiske has little difficulty in convincing us of the fitness of the title which he has chosen for his studies. It was indeed the "Critical Period." The second and third chapters are devoted to a summary of the social and political life of the times, and an analysis of the status of the States under the Confederation. The discussion of these topics is for the most part admirable. In recognizing the connection between constitutional and social history, the writer allies himself with the representatives of certain characteristic tendencies in modern historical writing. We cannot but regret, in view of the comprehensive survey of religious establishments, that no light is thrown upon the state of education under the Confederation. A better understanding of the attitude of the people in different parts of the Union toward public education might do much to clarify our ideas concerning this long-neglected period.

The comparative study of the English and American forms of government is skilful, and in some respects original. The point is emphasized that while our Constitution was to a great extent modelled after the British, it still differs from it in essential particulars because the fathers mistook the apparent for the real in their pattern. Thus, in the British government, as everyone now knows, the executive is not really separated from the legislative. The separation is only apparent. Had the American imitators of England in 1787 fully realized this, they might not have provided for a Congress, President, and Judiciary, each with clearly defined powers.

The concluding chapter, "Crowning the Work," narrates the battle that was fought out in each of the States before a ratification was obtained. Hamilton never appeared to better advantage than in the New York Convention at Poughkeepsie, working against tremendous odds, winning at length by sheer intellectual might. With 1789—that year of evil portent to continental Europe—our first crisis in America was passed.

Our author began his history with the fall of Lord North's ministry in England,—on a day of good omen, as he said, to the whole English race; and now, seven years later, he leaves Washington standing in front of Federal Hall in New York City, and hailed by a thousand voices as "President of the United States." [1] W. B. SH.

Mr. Durand thinks the importance of France to the American Revolution cannot be exaggerated.[2] She "furnished a large proportion of the soldiers, arms, officers, and military supplies, nearly the whole of the navy, and most of the credit and money by which the war was successfully terminated." Her risk was great and the cost amounted to 1,280,000,000 livres. She was in many respects obliged to control the war, and as a result of this her military and diplomatic agents furnish us with a mass of official letters and documents which serve as materials for a history of the war from a new point of view.

Nearly one-half of the volume is given to Beaumarchais, the secret agent of the French government, through whom supplies were forwarded to America. To accepted facts concerning his career, Mr. Durand has added some matter not before published in English from Gudin's new biography, as well as some original material furnished him by Mr. Lintilhac. "This material sets the character of Beaumarchais in a new light to American readers and strongly appeals to their sympathies."

Extracts from the correspondence of Gérard de Rayneval and of the Chevalier de la Luzerne, the first ministers of France to the United States after the treaty of 1778, fill about one-third of the volume. This correspondence has not been accessible hitherto. It contains not only the most complete

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[1] This review was printed in the *Chicago Dial*, June, 1889.

[2] Durand, J. *New Materials for the History of the American Revolution.* 311 pp. D. N. Y. Henry Holt & Co., 1889.

reports which exist of the discussions in Congress, but also furnishes reports on the political state of the country with glimpses of society and interesting traits of prominent men.

The volume also contains a letter written by Thomas Paine to Citoyen Danton in 1793, though one does not readily see what relation it has to the subject. S. B. W.

Heretofore the student's information concerning the Pennsylvania convention has been drawn too exclusively from the fragmentary and one-sided report in Elliot's Debates. This has been supplemented by the aid of such newspaper and manuscript sources as have come down to us, so that the account[1] now given, incomplete as it is, "is probably all that can ever be known" of the debates in the convention. The editors have also reprinted a representative selection from the fugitive literature of the day, letters, speeches, and essays on the Constitution, such as appeared in the newspapers. Dr. Wm. H. Egle contributes a set of biographical sketches of the members of the convention, and the volume is enriched by the portraits of fifteen prominent conventioners.

The work of the editors has consisted chiefly in collecting the material and arranging it in a systematic way. They should be thanked especially for the light thrown upon the proceedings of the minority—if indeed it can be called a minority.

Mr. Stone's article on the "Ordinance of 1787," is also a valuable contribution.[2] C. H. H.

American History, 1789–1860.

The readers of Mr. Schouler's fourth volume will doubtless turn with keenest interest to the opening and closing chapters, which deal with portions of the eventful administra-

[1] McMaster, J. B., and F. D. Stone. *Pennsylvania and the Federal Constitution.* 803 pp. O. Hist. Assoc. of Penn. Phila., 1888.

[2] Stone, F. D. *The Ordinance of* 1787. 34 pp. 1889. Reprinted from *Pennsylvania Mag. of Hist. and Biog.*

tions of Jackson and Polk.[1] It begins with the reorganization of the cabinet, at the close of Jackson's second year in office, and concludes in the midst of the war with Mexico. This, however, can only be regarded as a rather unfortunate division of the work, which, when completed, will not be seriously marred by such an arrangement.

Before entering on a narration of the various vicissitudes of "Old Hickory's" reign, the author finds in the introductory pages a fitting place for a *résumé* of the American manners and customs and general social conditions of the period. He bases his conclusions largely on the descriptions written by that much-abused and much-abusing personage, our Intelligent Foreign Visitor. Mr. Schouler finds the characteristic feature of American society, then as since, to be commonplaceness, "unpicturesque level," and lack of leisure.

It can hardly be said that much new light is thrown on the Jackson administration. Here references to the sources are copious, as, indeed, they are throughout the work. The field had been worked over, in recent years by Von Holst, Sumner, and others, to say nothing of the numerous previous attempts, in such books as Greeley's "American Conflict."

The summary of Jackson's character is well drawn: "Jackson ruled by his indomitable force of will, his tenacity of purpose, courage, and energy. He did not investigate, nor lean upon advice, but made up his mind by whatever strange and crooked channels came his information, and then took the responsibility. Experience made him rapid rather than rash, though he was always impulsive; and he would dispatch the business which engaged his thoughts, and that most thoroughly. * * * * He decided affairs quickly, and upon impulse more than reflection; but his intuitions were keen, often profound, in politics as well as war."

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[1] Schouler, Jas. *History of the United States under the Constitution.* Vol. 4. Washington. W. H. Morrison. N. Y. Dodd, Mead & Co.

The question of slavery comes more and more into prominence as the volume advances towards the annexation of Texas and the Mexican War. The Congressional career of John Quincy Adams, during these years, was not lacking in episodes bordering on the dramatic. The same may be said of Giddings of Ohio, and others. That our author distrusts his own impartiality in his treatment of the discussions between North and South, is not at all to his discredit. We must admire his candor, although by becoming an advocate he leaves the judge's bench.

Not the least of Mr. Schouler's services to the history-reading public is rendered in the last chapter, in which H. H. Bancroft's collection of materials on the annexation of Texas and California is largely drawn upon. The leading facts are condensed into a readable narrative, and made perhaps more intelligible than in the form in which they were first published. This volume, like the preceding, is poorly indexed.

W. B. SH.

John Bernard's theatrical visit to the United States extended over fourteen years.[1] The author lands at Boston, starts towards the south on his tour, reaches Virginia, branches off to the Ohio river, turns southward again, travels by private conveyance through Virginia and the Carolinas to Charleston, returns partly by land and partly by water to the north, visits England in the meantime, journeys to Canada, and breaks off abruptly in his narration in 1811. He tells about what he saw in America, what he thought of the public men of the day, and what he heard illustrating their characters. The introduction contains a short sketch of the author, while foot-notes, as well as text, give some account of prominent actors of the time. The author has much wit, and a keen sense of the ridiculous. His remarks sometimes have a

[1] Bernard, John. *Retrospections of America*, 1797–1811. 380 pp. D. Harpers, 1887.

biting, caustic humor, but the geniality of the man and his kindness of heart take away all bitterness. He has the power of keen observation and a brilliant imagination, at times evidently allows the latter to range at will; hence he cannot always be accepted as accurate in his descriptions. This, however, is not to be expected in a book of such a nature. We can hardly think of a man whose profession is comedy, giving us manners and customs in all their scientific-historic accuracy. He would not then be true to his calling.

Mr. Bernard delights in collecting stories and legends connected with the local history of the sections traversed. Jokes sometimes illustrate the habits, manners and morals of the people. S. B. W.

In Ladd's account of the Mexican War, the author's purpose was not to discuss technically military movements, or to illustrate the principles of military science.[1] He gives us a plain, unostentatious narrative of the war, following the army in all its battles from Texas to the City of Mexico. He neglects, comparatively, the history of Texas during the twenty years previous to its connection with the United States, and the nationality of the better classes of its people. He also fails to notice, in the chapter on Results, the great effect this war had on American patriotism, and its influence as a training school upon many of the leading officers in the Civil War, especially those in the Confederate service. Nor does the author give as much attention to the conquest of the west as the importance of that part of our republic would seem to demand. One of the most thrilling expeditions of the war was that made in the western campaign by Col. Alexander Doniphan to the country of the Navajos. These men suffered as many hardships in crossing the Sierra Madre, as did San Marten in crossing the Andes or Bonaparte in his passage of the Alps. S. B. W.

[1] Ladd, H. O. *The War with Mexico.*

Mr. Johnson's[1] treatment of the war of 1812 is in harmony with the other volumes of the series, and completes the account of those lesser episodes in American History which may be called its Minor Wars.

Defenders of President Buchanan[2] in his course of action just previous to the War of the Rebellion have not been altogether wanting, but the facts are now brought out in new form through a compilation of his public utterances during the period in question.

The Civil War.

Patriotic Addresses[3] is the title of a convenient compilation of the great speeches and sermons of the greatest American pulpit orator on the subjects of Freedom and Slavery, delivered during the decade 1850–60; sermons delivered during the civil war from Plymouth pulpit; all of Mr. Beecher's historic addresses in England in 1863; his address at the Fort Sumter flag-raising, April 14, 1865; his political sermons and addresses since the civil war, and his eulogies on Abraham Lincoln and Ulysses S. Grant. An excellent summary of Mr. Beecher's public life, his relations with public men, and the sources of his strength and weakness, are given by the editor in a hundred and fifty pages. J. R. C.

Mr. Bigelow occupied a position during our Civil War which gave him a fine opportunity to watch the movements of Confederate agents in Europe, especially in France, where he resided first as consul-general, and later as chargé-d'affaires.

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[1] Johnson, R. *The War of* 1812. (Minor Wars of the U. S.) Dodd, Mead & Co., N. Y.

[2] Buchanan, J. *The Messages of President Buchanan.* Compiled by J. Buchanan Henry. N. Y. Pub. by the editor.

[3] Beecher, H. W. *Patriotic Addresses in America and England,* 1850 to 1885. Edited by J. R. Howard. O. 857 pp. N. Y. Fords, Howard & Hulbert.

The author has given to the public some fresh material which has never before been published, concerning the Emperor Napoleon in his relation to the Confederate government and navy.[1] No pretense is made to a complete and comprehensive study of the entire subject, for the author contents himself with merely presenting those facts which came within the range of his own observation and events to which he, in his own words, is probably the most competent surviving witness. The first intimation that the Confederacy was having vessels built in French ports was given him by one who made a business of detecting diplomatic intrigue, and promised valuable information for a consideration. Convinced by documentary proof of the truth of the assertion, Mr. Bigelow followed through all its mazes the clue thus placed in his hands. The correspondence here reproduced places it beyond doubt that the French government was acquainted with the movements of the Confederate agents in ordering vessels to be built and fitted out in French navy yards, and that it was willing to compromise its neutrality provided the destination of the vessels was concealed. Fortunately the departure of the vessels was arrested, and only one of them finally succeeded in entering the Confederate service, and that by a most circuitous process. It bore the name of "Stonewall," and had time to make only one trip to Havana before hearing of the news of Lee's surrender. An appendix, containing the letters found and used by the author during his term of office as chargé-d'affaires, closes this well-written and very interesting book.

H. C. A.

Mr. Coffin has given us the third[2] volume of a history of the War of the Rebellion. The author has attempted to pre-

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[1] Bigelow, John. *Relation of France to the Confederate Navy.* New York. Harper Brothers, 1888.

[2] Coffin, C. C. *Redeeming the Republic: Third Period of the War of the Rebellion.* 478 pp. O. Harpers, 1889.

sent, in a condensed form, an account of the chief military operations and events of the war from the opening of the year 1864, to the close of its summer months. In March, 1864, full control of the army was given to General Grant, and a new period in the history of the war was opened. During this period occurred the battles of the Wilderness, Spottsylvania and Cold Harbor, the march of Sherman with the united armies of the west from Chattanooga to Atlanta, the capture of that city, and the duel between the Alabama and the Kearsarge. Having been with General Grant's army in Virginia, the author brings to his task the advantages of a somewhat close intimacy with many of the leading Union generals, and a personal observation of many of the events of which he writes. His style is plain, direct, unpretentious, and at times graphic and forcible. Some of his descriptions of military manœuvres are, however, complicated and obscure. The narrative bristles with interesting anecdotes and is illuminated by abundant charts, maps and engravings.

C. D. H.

Mrs. Hedrick's *Incidents of the Civil War*[1] is a simple and chronological arrangement of newspaper cuttings, well pieced together and full of interest to those people who wish many details of the war.

Reports of battles, public meetings, war songs, and some caricatures are reproduced, making a collection of things which might easily be forgotten, though the book is one which will be used more for reference or occasional amusement than continuous perusal. F. B.

Mr. George W. Williams,[2] is perhaps one of the most prominent Negroes in America, and stands forward as an

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[1] Hedrick, Mrs. Mary A. *Incidents of the Civil War.* Lowell, Mass. G. Hedrick, 1888.

[2] George W. Williams. *A History of the Negro Troops in the War of the Rebellion.* O. 353 pp. Harper & Bros., 1888.

uncompromising champion of the race. The calm, impartial and judicial attitude of the historian is, therefore, hardly to be expected from him, although, perhaps, those who have read the author's "History of the Negro Race in America," will note with pleasure a marked decrease of the spirit of indiscriminate hostility toward everything south of Mason and Dixon's line; but there is still much to be desired in this respect.

In spite of grave defects, however, the book will be found to contain an interesting account of the conduct of Negro troops during the war, with a good *résumé* of preceding examples of Negro soldiery ancient and modern. It fairly establishes the claim of the race to military capacity. The work indicates patient research and some skill in the selection of facts for presentation. J. H. T. M.

American Constitutional History.

Mr. Bryce's great work is worthy of heartiest praise.[1] Its strength does not lie in style, nor yet altogether in its broad scope, but chiefly in its method and in its points of view. Mr. Bryce does not treat the institutions of the United States as experiments in the application of theory, but as quite normal historical phenomena, to be looked at, whether for purposes of criticism or merely for purposes of description, in the practical every-day light of comparative politics. He seeks to put American institutions in their only instructive setting—that, namely, of comparative institutional history and life. . . . .

Mr. Bryce divides his work into six parts. In Part I he discusses "The National Government," going carefully over the ground made almost tediously familiar to American con-

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[1] Bryce, James. *The American Commonwealth.* 2 vols. D. N. Y. Macmillan, 1888.

stitutional students by commentaries without number. But he gives to his treatment a freshness of touch and a comprehensiveness which impart to it a new and first-rate interest. This he does by combining in a single view both the legal theory and interpretation and the practical aspects and operation of the federal machinery. More than that, he brings that machinery and the whole federal constitution into constant comparison with federal experiments and constitutional machinery elsewhere. There is a scope and an outlook here such as render his critical expositions throughout both impressive and stimulating. Congress, the presidency, and the federal courts are discussed from every point of view that can yield instruction. The forms and principles of the federal system are explained both historically and practically and are estimated with dispassionate candor. . . . .

Part II is devoted to "The State Government." Here for the first time in any comprehensive treatise the states are given the prominence and the careful examination which they have always deserved at the hands of students of our institutions but have never before received. Under seventeen heads, occupying as many closely packed chapters, full of matter, the state governments (including, of course, local government and the virtually distinct subject of the government of cities), state politics, the territories, and the general topics in comparative politics suggested by state constitutions and state practice are discussed, so far as reliable materials serve, with the same interest and thoroughness that were in the first part bestowed upon the federal government. . . . .

Part III, on "The Party System," is the crowning achievement of the author's method. Here is a scholarly, systematic treatise, which will certainly for a long time be a standard authority on our institutions, a much used hand-book for the most serious students of politics. It gives a careful, dispassionate, scientific description of the "machine," an accurately drawn picture of "bosses," a clear exposition of the way in which the machine works, an analysis of all the most

practical methods of "practical politics," as well as what we should have expected, namely, a sketch of party history, an explanation of the main characteristics of the parties of to-day, a discussion of the conditions of public life in the United States, those conditions which help to keep the best men out of politics and produce certain distinctively American types of politicians, and a complete study of the nominating convention. One can well believe that the practical politician, not a super-sensitive person, much as he pretends to scorn the indignant attacks made upon him by "pious" reformers, would be betrayed into open emotion should he read this exact and passionless, this discriminating and scientific digest of the methods by which he lives, of the motives by which he is moved. And certainly those who are farthest removed from the practical politician's point of view will gain from these chapters a new and vital conception of what it is to study constitutions in the life. The wholesome light of Mr. Bryce's method shines with equal ray alike upon the just and upon the unjust. . . . .

Part IV, on "Public Opinion," its American organs, its American characteristics, its American successes and failures, contains some of the author's best analytical work, but is less characteristic of his method than the preceding parts. . . . .

Part V contains "Illustrations and Reflections." It opens with an excellent chapter on the Tweed ring by one of the most lucid of our writers, Professor Goodnow; treats of other special phases of local ring government; of "Kearneyism in California," of *laissez faire*, of woman's suffrage, and of the supposed and true faults of democracy as it appears in America. . . . .

Part VI concerns "Social Institutions,"—railroads, Wall Street, the bench, the bar, the universities, the influence of religion, the position of women, the influence of democracy on thought and on creative intellectual power, American oratory, etc.,—and contains the author's cautious forecast of the political, social, and economic future of the United States. . . . .

All through the work is pervaded with the air of practical sense, the air of having been written by an experienced man of affairs, accustomed to handle institutions as well as to observe them. . . . .* W. W.

The plan of Mr. Curtis' present work[1] includes his original account of the origin, formation, and adoption of the Constitution, together with the history of the United States under that Constitution down to the adoption of the last amendments. The two volumes of the earlier work are incorporated in the first volume of the present history. Even the chapter headings have a familiar look, and the contents are practically unchanged. They come before us in a new dress, and the advance of the last thirty years in the printer's art serves to add to their attractiveness, for this is by no means a dull book, though its theme is a heavy one. We do not find the style quite modern. It is not unlike that of Mr. Bancroft —stately, dignified, measured. Perhaps the style is not wholly out of keeping, even in these days of much commonplace writing about great subjects, with the gravity of the events which the history has to recount. The fifteen years from the calling of the first Continental Congress to the ratification by eleven States of the National Constitution under which we live to-day, form the period covered in this volume. The last six of those years Mr. John Fiske calls the "Critical Period" of our history, and the nine preceding were in some respects more than critical, for they were largely decisive—not of union, perhaps, but at least of independence of Great Britain. It is a part of Mr. Curtis' task to show how events so shaped themselves during and after the war of the revolution as to join with the spirit of independence a growing spirit of nationality, culmin-

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[1] Curtis, G. T. *Constitutional History of the United States, from their Declaration of Independence to the close of their Civil War.* 2 vols. N. Y. Harpers, 1889.

**Abridged from Political Science Quarterly, March,* 1889.

ating in the adoption of that charter which Mr. Gladstone has pronounced "the greatest work ever struck off at a given time by the brain and purpose of man." The question so much mooted of late by American students, whether the Constitution was really thus struck off at a given time, or was simply a natural growth, a development from antecedent political conditions, is not discussed by Mr. Curtis. He is concerned rather with the formal, outward history of the document as revealed in convention proceedings. He reviews, successfully, the first two Continental Congresses, the government of the Revolution, that under the Articles of Confederation, the Federal Convention of 1787, and finally the debates in the State conventions. More than half of the work is occupied with the Convention of 1787 and the reception accorded its work. This account is based chiefly upon "Elliott's Debates," the principal sources of all our exact knowledge of the period. Mr. Curtis' foot-note references to Elliott are so numerous that the reader may verify nearly every important statement if he cares to consult the original authorities. The advantage of owning such a work as this lies chiefly in the compact form in which the matter is presented. It would necessitate much labor on the part of the student or general reader to pick out the salient paragraphs of the voluminous debates from the five volumes of Elliott. Mr. Curtis has done this for us in one volume. Then, too, he has put life into his narrative. He has introduced us to the personality of Washington and the conventioners who sat with him, and while these characters, as he draws them, appear a little strained, and, at times, unnatural, they are yet as living men before us always.* W. B. SH.

Prof. Landon's work[1] is a series of lectures delivered by the author before the Senior classes at Union College,

[1] Landon, J. S. *Constitutional History and Government of the United States: a Series of Lectures.* 389 pp. O. Boston. Houghton, Mifflin & Co., 1889.

**Reprinted from Public Opinion, Dec. 7, 1889.*

during the four years he was President *ad interim* of that institution. It traces the development of the Constitution from the simple systems by which our forefathers were permitted to manage colonial affairs, through its various important changes, down to the perfected and expanded form in which it now exists, giving only such narrative as is essential to a clear understanding of the important constitutional periods. The English criticism upon our Constitution, that it is written and therefore difficult to change, is regarded as unjust by Mr. Landon. The powers conferred by the Constitution were based upon recognized principles of right and justice, and, while requiring little change, admit of almost indefinite development and expansion. The governmental powers which stand in need of constant revision in this country, are those which lie close to the daily life of the people; reforms in the application of these powers are matters of State concern with which the nation has nothing to do. It is to the failure of English writers to perceive this fact that this unwarranted criticism on their part is due. The author holds to the view that in the United States, the powers of sovereignty are divided between the nation and the State by the creators of sovereignty, the people—a view to which many writers on American constitutional history will take exception. The chapters which treat of the interpretations placed upon the constitution by decisions of the Supreme Court contain, perhaps, the results of the author's most careful study. The typographical appearance of the book, together with the arrangement of material into chapters and paragraphs, is good.

R. J. F.

In addition to the interpretation of general federal statutes, the constitutional duties of the Supreme Court have been twofold: to see that the outline of government provided for in our fundamental law is developed along constitutional lines, and to keep by its restraining decisions both national and State governments within their proper fields of activity. To trace

our Constitutional history as seen in the body of law thus created, is the purpose of a volume[1] of lectures given at the University of Michigan. The method of treatment and ground covered, differ from those of Von Holst, Curtis, and Bancroft, in that the materials are drawn wholly from the records of a tribunal which stands above, and to a large degree removed from the influence of party strife and partisan vices.

The first chapter, prepared by Judge Thomas M. Cooley, has for its title, "The Federal Supreme Court—Its Place in the American Constitutional System," and treats fully the history of the Court from its establishment in 1789, to the accession of Marshall to the Chief Justiceship in 1801. The field of jurisdiction is explained, as indicated by the theory of our Constitution and the principles of interpretation, and defined in the grant of federal judicial power in Article III. Chief Justice Jay's influence upon the Constitution is also considered.

The second period of the History of the Supreme Court naturally covers the term of Marshall as Chief Justice, from 1801 to 1835, during which time federalistic principles governed the Court. To tell the story of one "whose youth was engaged in the arduous enterprises of the Revolution, whose manhood assisted in framing and supporting the Constitution, and whose maturer years were devoted to the task of unfolding its powers and illustrating its principles," is an interesting and important task. Marshall's influence in establishing the infant Republic upon a firm foundation, and his conception of the powers of the Constitution, and the manner in which they should be interpreted, are fairly told by the author, Hon. Henry Hitchcock, though possibly too great a portion (one-third) is devoted to Marshall's life before his elevation to the

[1] *Constitutional History of the United States, as seen in the Development of American Law. Political Science Lectures,* 1889. Univ. of Michigan. 296 pp. O. N. Y. G. P. Putnam's Sons, 1889.

Bench. The chapter closes with an excellent feature, *viz.*, a list of constitutional decisions by the Supreme Court, from 1790 to 1835, arranged in chronological order, and with references to the reports.

The third lecture, that by Hon. George W. Biddle, LL. D., covers that period of the Court's history during which it was presided over by Roger B. Taney, under whom the Court showed a decided tendency to a stricter construction of the grants of federal power than had previously prevailed. During Taney's long term from 1835 to 1864, many cases involving important Constitutional questions were necessarily decided; but in comparing Taney's influence upon our Constitutional Law with that of Marshall, the distinction should be remembered, which is not brought out in the lecture, that while Marshall was making law, Taney was, in the main, merely applying law. As one of Marshall's biographers has said, "Marshall laid not only the foundations of Constitutional law, but raised the superstructure." In treating the Dred Scott case, the writer is evidently convinced of the unsoundness of Chief Justice Taney's decision; and without giving arguments in support of his opinion, devotes, a proportionally unfair space to the presentation of the opposing views.

The period from the outbreak of the Civil War to the present, embracing the terms of Chief Justices Chase and Waite, is described by Professor Charles A. Kent, of Detroit, who gives in general terms, the stretches of federal power necessitated by the crisis of civil war, the significance of the last three constitutional amendments, and the action of the Supreme Court upon causes arising out of them.

The lectures upon the federal judiciary are fittingly supplemented by a discussion of the State Judiciary and its place in the constitutional system by ex-Gov. D. H. Chamberlain, in which are considered the relations of our parallel State and Federal courts, with their confusing fields of jurisdiction, partially concurrent, and partially exclusive. W. W. W.

A complete treatment of the genesis of American federal institutions has not yet been made, but special points are being investigated, and a general survey can come when the field has been lighted up by such monographs as Jameson's essays in the Constitutional History of the United States. To assist in this work is the first purpose of this volume,[1] but there is also another, and kindred aim in the preparation of these essays. "Perhaps still more strongly," says the editor, "we desire to assist in broadening the current conception of American Constitutional history, and in making its treatment more inclusive," and it is in the performance of this service, the assisting to place in true light the scope of our Constitutional history, and in emphasizing the fact that but a small view of our federal State life is obtained by an attention confined to the alien articles of our fundamental law, that these essays are largely valuable.

The first essay by the editor, entitled "The Predecessor of the Supreme Court," is a description, prepared largely from unpublished materials, of the old Federal Court of Appeals in Cases of Capture, which existed under the Confederation. In this tribunal is discovered a very respectable ancestor of our present Supreme Court. War with England had given rise to increase in privateering and consequent increase in the number of prize cases in dispute. Settled first by Committees of Congress, they were finally, at the suggestion of Washington, referred to a separate court, styled the "Court of Appeals in Cases of Capture." Two days before its final adjournment, had met the Convention of 1787, which was to provide its more effective and powerful successor. "It cannot be doubted that the Court of Appeals had an educative influence in bringing the people of the United States to consent to the establish-

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[1] *Essays in the Constitutional History of the United States in the Formative Period*, 1775–1789. By graduates and former students of the Johns Hopkins University. Edited by J. F. Jameson. O. Boston. Houghton, Mifflin & Co, 1889.

ment of such a successor. It could hardly be that one hundred and eighteen cases, though all in one restricted branch of judicature, should be brought by appeal from State courts to a federal tribunal, without familiarizing the public mind with the idea of a superior judicature, in federal matters, exercised by federal courts. The Court of Appeals may therefore be justly regarded, not simply as the predecessor, but as one of the origins of the Supreme Court of the United States.

The second essay, on "The Movement towards a Second Constitutional Convention in 1788," is an extremely interesting bit of historical work. The great dissatisfaction with the Constitution as framed by the Convention, so widely felt at this time, and the desperate efforts that were made for the assembling of a second constitutional convention are conclusively shown. Defeat of the Constitution in the second convention would have been certain. There is also little doubt that, had the Constitution been presented to popular vote for ratification, it would have been rejected. But a second convention was not necessary. The friends of the Constitution were willing to make amendments, and these amendments once adopted, "all notes of opposition were lost in a chorus of admiration." "In the worship of the Constitution that instantly succeeded," closes the essay, "it is almost impossible to believe that an instrument accepted by all parties as the last work of political wisdom, had been produced in a conflict of opinion, adopted with doubt, ratified with hesitation, and amended with difficulty."

The third essay is a treatment of the development of the Executive Departments, between the years 1775 and 1789. "The Executive Departments," says the author, "would at first seem to furnish an excellent example for the inspirationists. The Secretaries of State, War, and Treasury still hold their offices by virtue of acts passed by the first Congress in 1789; the Postmaster General and Secretary of the Navy under acts of the years 1794 and 1798 respectively. Each of these five acts was the first and only law that the federal

Congress found necessary for the erection of these departments." But Mr. Guggenheimer shows them to have been the direct descendants of simpler and cruder beginnings. The experimental wanderings first from committees of Congress, then to varying boards, and finally to independent departments in 1781 are well shown. "It is positively pathetic," he says, "to follow Congress through its endless wanderings in search of a system for the satisfactory management of its Executive Departments." The necessity of departmental administration was so evident that Congress in 1789 organized departments at once.

The fourth essay is entitled "The Period of Constitution-making in the American Churches," by Mr. W. P. Trent. Attention is called to the fact that with the severance of our political connection with England, came a separation of the Church from the State, and the consequent necessity on the part of the former, as well as of the latter, to frame for themselves schemes of government. In these Church Constitutions Mr. Trent finds evident traces of the influence of the political Constitutions then in making around them; and in turn believes them to have exercised some influence upon the formation of the political instruments of government.

The last essay is a consideration of the Status of the Slave during the period 1775–1789. The author, Mr. J. R. Brackett, shows the development of American law, in its relation to the negro. When slaves were few, there was no special slave law, but gradually there arose through State enactments, a body of law treating specially the status of the colored man, and forming in each State a Slave Code. W. W. W.

Mr. O'Neill has attempted an historical examination into the practical operation of the American Electoral College.[1] No part of the United States Constitution has been more of a

[1] O'Neill, Charles A. *The American Electoral System.* 284 pp. D. N. Y. G. P. Putnam's Sons, 1887.

disappointment, or more fruitful of criticism and apprehension than the method it provides for the election of the president. Yet, as Mr. O'Neill cites the Federalist to show, "this is the only part of the system of any consequence which has escaped without severe censure, or which has received the slightest mark of approbation from its opponents." It is a common remark that the American Republic under the Constitution is but an experiment in the history of civil government. Mr. O'Neill believes, and we think fairly shows, that this part of the experiment has been a failure. Beginning with the Constitutional Convention of 1787, and the modes of presidential election there proposed and discussed, he traces with an unpartisan spirit the experience of the Electoral College through the successive presidential elections. The contested elections of 1800, 1824, and 1876, naturally receive special attention; and the historic precedents and opinions which the disputed contest of 1876 called forth, receive suggestive notice. The violent resolutions of John Randolph on the refusal of Congress to receive Missouri's vote in 1820; the unavailing proposals of Mr. Van Buren in the Senate in 1824, and of Senators Benton and Morton in later years, to remedy the defects of the Constitution in this respect, show how thoroughly and how early the evil was appreciated, and how difficult it has been to effect a remedy. Mr. O'Neill also gives many interesting illustrative incidents in the several State elections which show that he has made good use of contemporaneous newspapers.

The author evidently writes from the standpoint of one who regrets thoroughly the early spirit of decentralization in the States. With the development of nationality he thinks the time has come for some national mode of election by "citizens of the United States," as proposed by Gouverneur Morris a hundred years ago.

An appendix contains extracts from the Constitution and laws bearing on the subject. The volume is written in a clear and commendable style, barring occasional bursts of grandiloquence. J. A. W.

Mr. Patterson, in his work on the United States and the States under the Constitution, says:

"This book has not been written to give expression to any theories, either in politics or in law. Its only purpose is to show by a classification and an analysis of the judgments of the Supreme Court of the United States, what the relations of the United States and the States are under the Constitution, as judicially construed by the court of last resort."[1] After considering the relation of the States to the United States and to each other, and the question of implied powers, the author takes up taxation, commerce, the impairment of contracts, bills of attainder, State bills of credit, State compacts, fugitives from justice, the judicial powers, and rights of persons and property, and concludes with a chapter on the federal supremacy and the reserved rights of the States.

One of the best chapters is that on the impairment of contracts, in which one learns something of the judicial evolution of corporate power in America. The clause of the Constitution which forbids the States to pass any law violating the obligation of contracts, was copied from the Ordinance of 1787, and has exercised a much wider influence than was originally contemplated. The debates of the Convention indicate that the purpose of the clause was to prevent interference in matters of private contract and especially to guard the interests of creditors against the issue of paper money. The prohibition was first extended to public contracts, not in 1819, in the case of Dartmouth College *v.* Woodward, as is often supposed; but nine years earlier, in the Yazoo case (Fletcher *v.* Peck). After it had been decided in the latter case that a grant of lands by a State was a contract and (N. J. *v.* Wilson, 1812) that a grant of exemption from taxation came under the same provision, it was but one step further in the same direction to include charters of incorporation. Indeed,

[1] Patterson, C. S. *The United States and the States under the Constitution.* 290 pp. O. Phila. T. and J. W. Johnson, 1888.

although Mr. Patterson does not mention it, the decision in the Dartmouth College case is distinctly based on that of 1810.

As a collection of decisions concerning federal restraints on State action, this book will prove convenient and serviceable.

C. H. H.

Mr. Patton's book traces the part performed in the government of the United States by the Democratic party since its inception in the early months of Washington's administration, down to its return to power in 1884.[1] The one idea clearly emphasized by Mr. Patton in this work is, that with the exception of the measure for the establishment of an independent Sub-Treasury, the American people in the end have not only objected to the application of every theory of government proposed by Democratic statesmen; but on the contrary have adopted the measures which they opposed. Mr. Patton's conclusion is that the theories presented by the Democratic party have always been specious and outwardly attractive, especially to the unthinking, but in practical statesmanship its record is a barren one.

The book, we are assured by the author, is not written in the interest or spirit of partisanship, yet we have no difficulty in determining from a perusal of it the preconception of the writer.

R. J. F.

Mr. Cocker's work[2] is designed for a school-book. The following outline of the plan followed in the treatment of the subject is given on page eighteen:

1. "The government of the American colonies, and the relations of the colonies to each other;

2. "The causes which led to a union of the colonies;

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[1] Patton, J. H. *The Democratic Party.* 355 pp. D. N. Y. Fords, Howard & Hulbert, 1888.

[2] Cocker, W. J. *The Government of the United States.* 274 pp. D. N. Y. Harpers, 1889.

3. "The Confederation and the causes of its failure;

4. "Our present system of government under the Constitution."

This plan is well carried out, the statements of the author being accurate and his style good. The Constitution is itself reserved for the close of the book. In other words, it is exhaustively studied before it is actually presented. This arrangement seems a little strange. H. R. McI.

Mr. Rupert's book [1] is divided into two parts, of which the first is a series of topics in American history. These are divided into four large periods and subdivided into smaller sections and topics. Titles of easily obtainable books are given in connection with the period in hand. The second and larger part of the work is given to a commentary on the Constitution. This is taken up article by article, or at least topic by topic, and subjected to a brief explanation suitable for beginners in the science of government.

It is intended as a guide for secondary instruction, but might prove convenient for more advanced students.

Mr. Wilson has taken from his larger work on the State the chapter on American Government, and made it into a book by itself as a short manual for schools and colleges.[2]

American Political Problems.

The present attempts at Ballot Reform and Civil Service Reform evince a discontent on the part of statesmen with the

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[1] Rupert, W. W. *A Guide to the Study of the History and the Constitution of the United States.* 130 pp. D. Boston. Ginn & Co., 1888.

[2] Wilson, W. *The State and Federal Governments of the United States: a Brief Manual for Schools and Colleges.* 131 pp. D. Boston. D. C. Heath & Co., 1889.

practical results of democratic government. Mr. Stickney's little book,[1] after a clear statement of the theory of our government, shows how far we have departed in practice from that theory. "The theory is that this political system puts the supreme power in the state in the hands of the citizen." In fact, it burdens him with a power which he does not, and cannot use. Consequently, political power has fallen into the hands of a professional class, who use the party organizations for political plunder. The best men are barred from public service; power is taken out of the hands of the people; the political freedom of the citizen is destroyed; our whole political life is corrupted, and statesmanship made to consist solely in attempts to carry elections. The people do not rule, they have only the right of legalized revolution once in four years. His remedy for present evils is theoretically very simple. It is nothing less than a return to the primitive folkmôte or popular meeting. The public meeting, he claims, is the only organ for the formation and declaration of the people's judgment and the people's will. The chief executive should be solely responsible to the popular assembly, the members of which should be chosen directly by the people in popular meetings. Whether the conclusions are accepted or not, it must be acknowledged that the book is an honest attempt to find a remedy for evils in our political system which undoubtedly exist. It is interesting to note the author's estimate of the present movement for ballot reform and civil service reform. He thinks these measures would not reach the root of the evil. The disproportion between the disease and the remedy, he thinks is grotesque. Suppose the Australian Ballot System is adopted: the individual citizen will still be a political puppet, voting for the men and measures adopted by his party.

W. P. S.

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[1] Stickney, Albert. *The Political Problem.* 189 pp. D. N. Y. Harpers, 1890.

One of the most interesting books that have appeared in the *Questions of the Day* series is that of Mr. Bruce.[1] It is a dispassionate and unprejudiced study of the negro, as he lives to-day in the rural districts of the South. His characteristic peculiarities in all the varied relations of parent, husband, servant, citizen, church-member, laborer and land-holder, are carefully and impartially considered. The weakness of the race lies far more on the moral than on the mental side. While there is great uniformity of mental endowment among them, and few departures from the common level, that level is much higher than one would expect. But this mental force is dissipated and made of small avail through the lack of certain moral qualities, as for example, sustained will-power. The negro is improvident, not from obtuseness, but because, although perceiving what is good for him, he has not the resolution to pursue the course of action that would attain it. A negro guilty of a breach of law or morality, does not incur the displeasure or aversion of his companions. On release from jail or penitentiary, he is looked upon with increased respect, as a pseudo hero. Intense religious feeling does not seem to be incompatible with flagrant violation of every commandment. The race clearly cannot be judged by our ethical standards.

As regards the future of the race, Mr. Bruce is pessimistic. Examining and rejecting every hope of improvement, he has himself no solution to offer. "The number of negroes in towns and cities is too small to exercise any material influence on the general destiny of the race;" and every attempt to carry education to the rural masses is futile. Like Blyden, he thinks the mulattoes really are a third race; but he further believes them important, because rapidly disappearing. The whites and blacks under the pressure of race instinct, are drawing further and further apart; and the blacks are revert-

[1] Bruce, Philip A. *The Plantation Negro as a Freeman.* 262 pp. D. N. Y. G. P. Putnam's Sons, 1889.

ing physically, mentally and morally to their original condition of savagery. At the same time their numbers, absolute and proportional, are increasing so rapidly that the situation assumes a most serious aspect. Froude, on reading Mr. Bruce's book, wrote to the author: "You and I have approached the same problem from opposite sides, and we have come to the same conclusion." J. H. T. M.

At the outset the author of *An Appeal to Pharaoh*,[1] appeals to history and to the testimony of many eminent men, from Madison down to our own time, to show that the negro has been the prime cause of all sectional animosities and that the color-line is still the great dividing line. Neither as slaves or freedmen, have the negroes, as a class, ever been on anything like equal or confidential terms with the white people of the South, and that there is no prospect of such a result in the future, anyone who has seen much of the relations between the two races must be compelled to admit.

In view of such a state of affairs the author believes that ours "is a case for the knife of the surgeon." He would solve the problem by separating the two races; by taking the Africans back to Africa. He presents, for the gradual removal of the Negroes from this country, rather an elaborate scheme, according to which a certain number of child-bearing women, between the ages of twenty and thirty (he estimates the number from twelve to fifteen thousand), are to be sent away every year, together with their husbands and children. He believes that every man, woman, and child, of Negro blood, will have disappeared from this country within fifty years after this plan of removal has been put into execution.

Moreover, he estimates that $10,000,000 a year, for fifty years, would cover all the expenses of removing and settling

[1] *An Appeal to Pharaoh: the Negro Problem and its Radical Solution.* 205 pp. D. N. Y. Fords, Howard & Hulbert, 1889.

the emigrants, and providing them with necessary equipments to begin life anew. He seems to think that there is nothing in the character of the soil or climate of the Congo region to render it unfit for settlement by the emigrants, but that, on the contrary, it is a most desirable country. The effect of the removal of the negroes upon the industrial system of the South would not be serious, since their places might easily be supplied, and their departure would, in the long run, be beneficial to industry.

Granting that it is highly desirable to get rid of the negroes, one cannot but fear that the execution of such a scheme as he proposes would involve far greater expense than might at first be thought, even if it should prove to be practicable, which may reasonably be doubted. H. D. T.

J. H. Kennedy has related in an interesting manner the history of the early days of Mormonism.[1] Beginning with the birth of Joseph Smith, the book is largely devoted to his biography. His early life, habits, and shortcomings, his evolution into a Mormon prophet, his influence upon his misguided followers, are topics carefully considered. The story of the Mormon Church at Palmyra is given at length. The Mormons, later on, migrated to Kirtland, Ohio. Here they built a temple and laid out a city, but were soon so harassed by their numerous enemies, that a second migration, this time to Nauvoo, Illinois, was the result. The story ends with the tragic death of Joseph Smith in the jail at Carthage, Illinois, and the consequent dispersion, for a time, of his followers.

Mr. Kennedy has been careful in the selection of his material, and makes free use of all authorities on Mormonism; the book is liberally supplied with foot-notes which contain explanatory matter and notes on biography. Several

[1] Kennedy, J. H. *The Early Days of Mormonism.* 275 pp. D. N. Y. Chas. Scribner's Sons, 1888.

appendices are added for the separate treatment of topics only incidentally referred to in the text. The book is illustrated, but has no index, and contains only a brief table of contents.

J. W. B.

Mr. Beers divides his work[1] into four parts, treating I. The History of Mormonism; II. The Political Puzzle; III. The Social Puzzle; IV. The Religious Puzzle. In Part I. the history of Mormonism is arranged in four periods, and treated in as many chapters: (1) the revelation of Joseph Smith at Palmyra, N. Y.; Palmyra to Kirtland, O.; (2) the rise of Mormonism in Missouri; (3) the Mormons in Illinois and the Settlement in Nauvoo; (4) Brigham Young and the final location of the Mormons in Salt Lake Valley.

The author's plan for the uprooting of Mormonism, consists in the abolition of woman suffrage in Utah Territory; a national colonization scheme; establishment of national free schools all over the Territory. He discloses the evils of Mormonism, and advocates the above scheme as the only peaceful and successful way of dealing with the Mormon question. It would solve the "Political Puzzle," and also the social and religious aspects of the question.

The book is the result of two years' labor, and is based upon a study of the best works upon Mormonism and the files of the leading religious periodicals. The essence of the book was formerly given in a series of lectures, and the publication preserves the free didactic style. It is well worth careful perusal. The author gives a good summary of the book in his detailed table of contents. J. W. B.

Brief mention can only be made in this connection of Bancroft's *History of Utah*, which is written from the Mormon

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[1] Beers, R. W. *The Mormon Puzzle, and how to solve it.* 195 pp. D. N. Y. Funk & Wagnalls, 1888.

standpoint. Students of the subject will find in this an extensive and valuable bibliography.[1]

The purpose of Mr. Barrows' little book,[2] is to show that the advantages hoped from the Dawes Bill can only be reaped by supplemental missionary efforts. The author discusses such subjects as the courts as protectors of the Indian rights; the Cherokee experiment; the failure of the reservation system; and Indian farming; and he points out that the proximity of border civilization is the reason for the continual lack of success in our dealing with the Indians. The conclusion reached by him is, that the plan of granting to the Indians citizenship and lands in severalty can only be made beneficial by efforts directed toward the elevation both of the savage and of the neighboring white man. The final chapter discusses the decrease of the Indians in numbers, with strictures on the responsibility of the whites for this result. F. J. T.

Mr. Haines' large volume[3] is a compendium of information upon the *American Indian.* As its title indicates, it claims to comprise the "whole subject of the Indian in a single volume." It is evident from a perusal of his pages, that the author has sought diligently and conscientiously to embrace in his work whatever of value has anywhere been discovered and written concerning the aborigines of America. He has gathered and written with a deep interest in his subject, an interest which he has, in great measure, succeeded in imparting to his pages. The various speculations concerning the origin of the Indians, their earliest authentic history, their

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[1] Bancroft, H. H. *The History of Utah, 1540–1886.* (Works. Vol. 26). O. 808 pp. San Francisco. The History Co., 1889.

[2] Barrows, W. *The Indian's side of the Indian Question.* 206 pp. 16mo. Boston. D. Lothrop, 1888.

[3] Haines, Elijah. *The American Indian.* 821 pp. O. Chicago. The Mas-sin-ná-gan Co., 1889.

tribes, traditions, languages, customs, government, and a multitude of related themes, find treatment here. The table of contents indicates that the author may with a measure of propriety claim, as he does in his preface, that the volume is "a sort of cyclopædia on the subject of the American Indian."

The introduction which treats of the aborigines as they were found by the white discoverers and pioneer settlers in America, gives a good outline of the history of the Indian in our early colonial days. The author defends the credibility of Father Hennepin against the attacks of Parkman, and presents Dr. W. F. Poole's critical examination of the fiction of Pocahontas, together with the best early New England testimony on Indian life and characteristics. The value of the work consists in its comprehensive and careful selection and arrangement of the best material. Among the chapters of special interest are those on *Indian Origin, Picture Writing, Indian Local Names, Indian Character,* and *Indian Population Past and Present.* The volume closes with a chapter on the *Independent Order of Red Men,* organized at Philadelphia before the Revolution, by the admirers of the Chief Tammany, and by those who wished to perpetuate the memory of worthy traits in Indian character.

The style of the work is engaging, and any one seeking information on any phase of Indian life would hardly fail to find it here, though its inexcusable lack of an index is a serious drawback. J. A. W.

The Address of a Revolutionist[1] is an enigma. The author's opening words are: "Fellow Subjects:—We celebrated the 17th of September, 1887, as the centennial anniversary of an event which we chose to call the Adoption of the Constitution of the United States." He closes with a cosmopolitan sentitiment couched in the following cosmopolitan slang: "By

[1] *The Centennial of a Revolution: an Address by a Revolutionist.* 171 pp. 16mo. N. Y. G. P. Putnam's Sons, 1888.

rushing onward in the battle of ideas, we place ourselves in solidarity with the Revolutionists everywhere; with those who in Europe call themselves the International—the Party of the Revolution—Revolution anywhere and everywhere. We are of them; they are of us. We are all 'men without a country.' Let them come along: the Communist, the Anarchist, the Socialist, or whatever else! We are all in the swim! Vogue la galère! Let her go, Gallagher! Vive la Commune."

A reader whose habit it is to begin with the end of a book might imagine he had here found the key to it—but between the first words and the last there are 170 pages of dreary discussion of certain aspects of sovereignty in the United States. He asks, "what is the continuing event which we celebrate?" He aims clumsy shafts of sarcasm at Professor Burgess, of Columbia College, as the exponent of the view that the Articles of Confederation were a *usurpation* by the States of the Sovereignty formerly held by the Continental Congress, and that the adoption of the Constitution was a "revolution" by which the nation regained its usurped sovereignty. Is this "Revolution" the continuing thing, he inquires? Again, he asks if the government as exercised, not as the machinery to carry out the Constitution, but as a power above the Constitution, conquering and reconstructing seceded States, and by the Supreme Court legitimizing its actions, is not the continuing thing we celebrate. But in the whole discussion he gives no lucid statement of his own position, nor is it possible to divine his purpose—unless it be in the peroration quoted above, and that has absolutely no logical place in this address by a Revolutionist, unless he has revolutionized logic.

There is occasionally a flippancy in his language, and now and then a clever phrase, but in the main it is obscure, heavy and spiritless. The undercurrent of sarcasm is often so far beneath the surface as to be almost invisible. The thought is not deep: it is only muddy. He has something

on his mind, undoubtedly, but he has simply succeeded in transferring the incubus to the brain of the unfortunate reader.

Yet he has made a few clever hits. Whether these will repay one for the drudgery of reading the whole address depends mainly on the value of the reader's time and energy. S. S.

A prognostication of political events in the year 1896![1] In the preface, dated 1925, the author tells his son that he sends him a scrap-book of newspaper clippings describing the great political campaign of 1896. That year saw the complete overthrow of the party composed of the "alien forces of Socialism, Anarchy and Atheism," by the National Party which appealed to "those principles bequeathed to us at the cost of blood and suffering," by the patriots of the Revolution. The newspaper style is imitated with great skill, and, indeed the whole work is very cleverly done. However, it is open to doubt whether elements representing so diverse principles as Anarchism, Socialism and Atheism will unite into one party. Besides, it is more reasonable to suppose that, if any socialistic party ever becomes very powerful in this country, it will be a Christian and not an Atheistic one. W. P. S.

American Local History.

New England.

Long after the original American colonies had become fully established, the picturesque valleys of Vermont seem to have been little more than foot-paths for savages.[2] Yet the valleys were destined not long to remain thus, but were soon to furnish homes for those brave, industrious men, whose history

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[1] *The Presidential Campaign of* 1896: *a Scrap Book Chronicle compiled by an Editor of that Period.* N. Y. Funk & Wagnalls, 1888.

[2] Heaton, J. L. *The Story of Vermont.* 316 pp. D. Boston. D. Lothrop, 1889.

we may find in the pages of this book. We cannot fail to be impressed with the spirit with which Mr. Heaton has described the struggles of these Vermont people. Their efforts to become recognized as a separate commonwealth; their unyielding determination to gain statehood in the Union; finally, their patriotism, in times of need;—all these are pictured with a vividness that leaves a pleasing effect.

The history of Vermont seems, indeed, to be impartially treated. The bravery of the Vermont men has become proverbial to us; hence we are not surprised, in the present case, to find praise unsparingly bestowed. Alike in times of peace and times of war, these men will never cease to be known as the sturdy Green Mountain Boys.

The pleasing manner in which the author has presented his work causes one to welcome a closer acquaintance with that contented "People, which removed from the fear of penury on the one hand, and from the temptations of affluence on the other, forms the hope and stay of any republic." G. T. F.

Professor Dexter states that his little work on Yale College[1] "has been compiled to meet the frequent demand for some brief statement of the earlier history of the institution." To do this, the author, in a concise and interesting manner, traces the history of the University, from the foundation at Branford, by the celebrated donation of books from a few Connecticut pastors, to the great University of over a thousand students. The "collegiate school," established by the "ten Congregational ministers of Connecticut," was founded because Harvard was too far off and not orthodox enough to furnish the desired instruction to young students. An interesting bit of republican development is the fact that it was not until 1768, just before the Revolution, that the list of the students' names, formerly given according to social stand-

[1] Dexter, F. B. *A Sketch of the History of Yale University.* 108 pp. D. N. Y. Henry Holt, 1887.

ing, was arranged in alphabetical order. During the Revolution the college was almost broken up. Under President Dwight, the first of that name, the institution made great progress. Then began that evolution into a university, recently shown in the change of name, by which the administration of a second President Dwight has been signalized. The principal facts in the long and successful administrations of Presidents Day, Woolsey and Porter, are described, and the narrative closes with the auspicious opening of the present administration.

A statistical and biographical appendix ends the work. The book is bound in the college color, blue, with the seal of the University impressed on it. B. C. S.

The history of New England towns has a peculiar interest, because of the semi-independence they enjoyed, and the local peculiarities which nearly all exhibited. Mrs. Schenck's History of Fairfield is a contribution of this kind.[1] Just how far matters of general history should be introduced into such a work, is a mooted question; but the author of this book gives a more minute account of the doings of the General Court and of the policy and conditions of the colony of Connecticut than seems necessary. At times it is difficult to distinguish whether the colony or the town is referred to. The work, of which this is the first volume, is intended to be carried down to 1818, which date was probably chosen, because of the adoption of the State Constitution that year. The period treated is one of interest for all of Connecticut, as Fairfield had several features not found in all the other towns. Being near the Dutch settlements of New Netherlands, and having many Indians close at hand, it suffered from rumors of war. The career of Roger Ludlow, who was really the founder of Fairfield, is a remarkable one. Lieutenant-Governor of Massa-

[1] Schenck, E. H. *The History of Fairfield County, Conn.*, 1639 to 1818. Vol. I. 423 pp. O. New York. Pub. by the author.

chusetts, and then of Connecticut, and compiler of the latter's first code, he was a man of strong will and, being dissatisfied with the management of affairs, left for Virginia, carrying the town records with him, as an old legend has it. Mrs. Schenck disproves this tale, showing that there were no town records for the first nine years, and that all which then existed are now extant. In tracing Ludlow's later life she follows him from Virginia back to England. Fairfield suffered more than other towns in Connecticut from the witchcraft delusion, and Goodwife Knap of this town was one of the very few in the colony condemned to death on that charge. Maps of the old town plats, lists of early proprietors, and brief genealogies for three generations of the families of most prominence among the early settlers, are additional features of the book, valuable to a lover of Fairfield. The press-work and general appearance of the book are admirable, and the contents generally accurate. On page 162, however, there is an amusing error. The author quotes the "Pounder's Oath," which bound them to preserve "ye fruits of y^{e} Com̄on fields;" and she deduces from the use of the word fruit (which of course meant grain) the statement "that the young fruit trees were grown in fields and held in common by the townsmen." Further, that this oath "shows the care exercised in the healthy growth of fruit trees, which had been brought from England, or raised from imported inoculation, grafts, pits and seeds." B. C. S.

The opening pages of Mr. Wilson's *Town and City Government in Providence*[1] present, in condensed form, the *personnel* of the Colony of Rhode Island. Here the government was an experiment, and up to the adoption of the Code of 1647, passed through three phases: (1) government by mutual consent; (2) by majority of householders without delegated

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[1] Wilson, Geo. G. *Town and City Government in Providence.* Pap. 77 pp. Providence. Tibbitts & Preston, 1889.

authority; (3) by majority with delegated authority. In 1644 a charter was obtained, but no general government was organized till 1647. The key to the political and civil status of Rhode Island is individualism. Of this principle she has ever been tenacious, and he who would read her history aright, must constantly bear this fact in mind. The period of town development up to 1700 is described under its political and administrative phases. The section on land-holding is of interest, because contrasted with the survivals of English institutions. From 1700, till the adoption of the city charter, was the period of municipal growth. The conclusion describes Providence under the charter. An analytical table of contents adds to the convenience of its use. W. H. T.

Middle States.

From the standpoint of the "Commonwealth Series," namely, "to secure trustworthy and graphic narratives which have substantial value as historical monographs, and at the same time do full justice to the picturesque elements of the subjects," the two volumes by Mr. Roberts upon New York are a success.[1]

The first volume describes the earliest discoveries by the French, their unsuccessful invasion of the Iroquois territory, the colonization by the Dutch and the change to English rule, bringing the story down to the year 1765. Beginning with the Intercolonial Congress of 1765, the second volume sets forth the part borne by New York in resistance to England, and the subsequent development of the Empire State, closing with the year 1887.

Perhaps the most striking feature of the work is the compactness of the narrative. Within the narrow compass of these two small volumes, the author has compressed the larger and

[1] Roberts, E. H. *New York.* (American Commonwealths.) 2 vols. Houghton, Mifflin & Co., 1888.

essential facts of the history of this great commonwealth in every department of its varied life. He does not restrict himself to political history, but traces also the development of education and literature, agriculture and manufactures, the land system, the canals and water-ways. The lives and services of the more distinguished sons of New York are sketched, and interesting comparisons, from various standpoints, are drawn between the Empire State and other States and countries.

The book has one serious defect, in that it gives but one map—the New York of to-day. Much of interest and value would have been added if there were maps showing the colony and the city of New York at important periods, such as at the beginning of English rule and at the Revolution.

It is, of course, foreign to the purpose of this history to give detailed information or indulge in critical investigation or speculation. The chapters on "Topography of New York," and "People of the Long House," maintain, however, with plausible and solid arguments the thesis that the supremacy of New York among the States rests largely upon geographic facts; that the water-shed of central New York, whence the rivers flow in every direction, giving easy access to every part of the country east of the Mississippi, from New Orleans to Quebec, is the real key to the truly imperial power exercised by the Iroquois over the other Indian tribes, as well as to the imperial position, which in many ways New York holds to-day. S. S.

The title of Mr. Brooks' book well characterizes the work.[1] The history of New York is told in a popular, easy style, and a slight thread of romance is woven into it. The author's aim is to trace the history of the State with special reference to the part played by the masses of the people. Accordingly he

[1] Brooks, E. S. *The Story of New York.* 311 pp. D. Boston. D. Lothrop, 1888.

selects a middle class Knickerbocker family, and, following it out generation after generation, views events from the standpoint of this typical family of humble, honest workers. He does not, however, confine himself so closely to this family that he is unable to take a broad view of events. The author is much given to moralizing, and puts many sage comments on men and things into the mouths of the successive heads of the Jansen family. He never loses an opportunity of emphasizing the fact that the ordinary citizen is an important factor in the history of State or nation. The appendix contains a map of New York, a detailed list of events arranged chronologically, the State Constitution and a bibliography of works bearing on New York history. F. W. S.

In the dedication of Susan Coolidge's sketch of Philadelphia,[1] we are told that it was prepared from materials "originally collected for the use of the Tenth United States Census." It is but natural that a fact like this would under any circumstances have affected the character of the work, but in this case its influence is even greater than would be expected, as Miss Coolidge seems to have felt conscientiously bound to make use of all her materials, no matter how trivial. The result of such an array of facts and figures in so small a compass has been to make several of her chapters unpleasantly suggestive of the appendices to a city directory.

As Miss Coolidge's materials were, of course, chiefly illustrative of Philadelphia's status in the census year, it is in her last chapter—that on "Philadelphia in 1880"—that we see their influence most clearly. That chapter contains a crude and undigested mass of facts, which, though perhaps valuable to the statistician, are at least in their present form of little or no interest to the general reader.

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[1] Coolidge, Susan. *A Short History of the City of Philadelphia.* 288 pp. 16mo. Boston. Roberts Bros., 1887.

The chapters on "Growth and Development," "The Centennial Exhibition," etc., are written in much the same style; but all that part of the work describing the founding of the colony, its political history and part in the Revolution, etc., though merely a compilation from other histories and laying no claim to originality, is pleasantly written and forms by far the most enjoyable portion of the book. D. H. G.

The two parts into which *The Story of Washington* is divided, are entitled, respectively, "The Historical City" and "The Modern City."[1] These titles do not accurately indicate the contents. The very brief account of the development of municipal government in Washington, is placed in one of the last chapters of the second part, although it logically belongs to the first, and would naturally be sought there. With this exception, the story of the foundation and growth of the national capital, down to its occupation by the British in 1814, is told on the whole in a satisfactory manner. In giving a detailed account of the establishment of the government offices in the new city in 1800, the author fails to mention the burning of the War Department, with many of the Revolutionary records, and all the important Department Archives. The period between Madison's last term and Lincoln's first, is treated in a single chapter of thirty-six pages, of which thirty are occupied with Congressional debates entirely irrelevant to the theme of the book. The account of the "renaissance" of Washington in 1872–4, is misleading. On page 184 it is stated that 58½ miles of wood pavement were laid, and 28½ of concrete, but it is nowhere stated that all the wood pavement had to be taken up, and much of it replaced by concrete, of which more than 75 miles are now laid, and which forms a marked feature of the Washington street-system. One chapter is very properly devoted to the public schools. If there

[1] Todd, C. B. *The Story of Washington, the National Capital.* 416 pp. D. N. Y. G. P. Putnam's Sons, 1889.

is any one thing for which the school-system of the city is noted, it is its excellent High School; but the reader of this volume will find only the merest mention of such an institution. Returning to the chapter on Municipal Government, we read on page 325: "The city government of Washington is in many respects an anomaly in municipal governments. . . . In its system three commissioners, *appointed by Congress*, are the source and fountain of power." On the next page is printed the substance of the Act, establishing the present government of the District of Columbia, which provides that two of the commissioners "be appointed from among the citizens of the District by the President, and confirmed by the Senate; the third to be an officer of the Corps of Engineers of the U. S. Army, whose lineal rank should be above that of Captain, and to be detailed by the President." No attempt is made to harmonize the two statements. The book contains many minor errors. These, however, might be overlooked, if the essentials of *The Story of Washington*, in any complete sense, were present. Amid much that is unessential, they seem to have been lost sight of. W. B. SH.

The South.

The object of Mr. Phelan's History of Tennessee[1] is to show the law of development which makes the present condition of that State the logical sequence of the past; and to show this, "without going unduly into detail, and not passing over wholly in silence, the individuals who have been the factors of this law, or the occasional adventures which surround them with the golden light of a mediæval romance." While due emphasis has been given to individual characters and romantic incidents, the idea of development has been made especially

[1] Phelan, Jas. T. *History of Tennessee: the Making of a State.* 476 pp. D. Boston. Houghton, Mifflin & Co., 1888.

prominent. Tennessee institutions are treated as direct survivals of English prototypes and even of Germanic customs. "When the people of Memphis held the successive meetings, which began with the abolition of the city charter and ended with the compromise of the city debt, and passed the resolutions which each time were embodied in laws by the State legislature, they were but reviving a custom of their race, the first record of which is found in the Germania of Tacitus."

Nearly one-half of the book is devoted to the period before 1796, the date of the admission of Tennessee to the Union. The earliest settlements and the formation of the Watauga Association, the relations with North Carolina, the State of Franklin, the troubles with the Indians, and the intrigues of Spain are well presented. Tennessee as a State is then taken up and its history followed until it seceded in June, 1861. This part of the book is chiefly occupied with political and financial topics. Without going into the intricacies of the subject, the author has given us valuable chapters on banks and internal improvements, matters in which the experience of Tennessee is of much interest. When treating of political affairs, Mr. Phelan is especially at home. The rise of the Whigs, their conflicts and their final downfall are set forth with much ability. Here, as elsewhere, the history of Tennessee is viewed as an epitome of the history of the United States.

The plan of the work is well conceived and well carried out. The tone is impartial and the style interesting. Much to be commended is the author's use of the newspaper material of the time. Such books as Mr. Phelan's will conduce to a better understanding of the history of the individual States, which, aside from its local value, is of so great importance to the study of American national history. C. H. H.

Mr. Keating traces the history of Memphis[1] from the discovery of the Mississippi, by De Soto in 1541, claiming that

[1] Keating, J. M. *History of the City of Memphis and Shelby County, Tennessee.* Vol. I. 694 pp. O. Syracuse. D. Mason, 1889.

event as the beginning of its history; but the thread of continuity is at times very slender.

The first period into which he divides the history extends from 1541 to 1827, and his work shows a true scholarly spirit. The last period, from 1865 to the present, possesses great value and interest for the student of municipal institutions. The utter disorganization of State and city finances following the war, the shameless neglect of sanitation bringing on the terrible scourges of yellow fever in 1873 and 1878, and the energy of despair growing out of these evils and leading to the establishment of the Taxing District System and the surrender of the city charter, are well described.

There is one glaring fault in the book. It lacks system. The facts are there and the statistics, yet the reader has great difficulty in finding what he wants upon any topic; and the lack of an index still further detracts from its usefulness. The style is animated, and altogether the book is much better than the ordinary local history. S. S.

The State of North Carolina has not received just recognition at the hands of some historians, because many important facts in her early history have been untold by her own sons to whom they were known. From a want of appreciation in many cases, both on their own part and on that of the State in general, they failed to use the material at their command, thus allowing the prejudiced and ignorant statements of early chroniclers to be accepted as the truth without contradiction. This general apathy has caused untold disgrace to the State. Her record from the settlement on Roanoke Island until now has been one of which she has no reason to be ashamed, but this record is known unfortunately to few outside of her own borders. Her history has been written by foreigners and aliens and generally miswritten.

No one has been more impressed with what we might term the domestic study of the State's history than has Hon. David Schenck, an ex-Judge of the Superior Court, and a resident

of Greensboro.[1] His book contains among others, a portrait of the author; it has a map of the Carolinas, showing the army routes and several maps of battle fields; it has sketches of some of the leaders of the day, and the reprints from rare original authorities are numerous; it is dedicated to Gen'l Jethro Sumner, who played no unimportant part in the events described—his only and most lasting monument. The volume owes its origin to the Guilford Battle Ground Company, which was organized by Judge Schenck to preserve and beautify the grounds where Cornwallis was checked by Greene on March 15, 1781. In examining different histories of that battle by Lee, Johnson, and others, the author found that injustice had been done the North Carolina militia in regard to their conduct on that occasion. Further research not only confirmed this opinion, but showed him that the injustice was not confined to that battle, but that the State had been robbed of the honor due her for repelling the British invasion in 1780. It was to correct these impressions, and to show the part taken by North Carolina in the closing struggles for independence that the book was written.

The first chapter opens with a discussion of the character of the British invasion in 1780–'81. No respect for morality or humanity was allowed to thwart the purpose of conquest; no rights of property were to be recognized; no appeals for mercy were heeded; executions, cruel and remorseless, were inflicted; Indians and slaves were excited; solemn pledges broken and paroles ignored. This, by way of introduction. Judge Schenck then turns to the organization of the North Carolina Regulars and Minute men in 1775–'76, and gives the names of the field officers, while the names of all officers in the Continental line commissioned by the State are given in an appendix. The career of these troops who, Charles

[1] Schenck, D. *North Carolina, 1780–'81.* 498 pp. O. Raleigh. Edwards & Broughton, 1889. This Review was first printed in the Raleigh *News and Observer*, Feb. 4, 1890.

Pinckney said, had been the salvation of the country is followed; but the effort to give an exhaustive history of the war in the Southern department was not made, nor was it the author's purpose to write the part played by North Carolina during the whole revolution.

The second chapter begins the real history. The raw militia of North Carolina, organized to repel the invasion of Lord Cornwallis in 1780, knew little or nothing of methods of regular warfare. They had learned to fight in the Indian fashion from behind trees and rocks. They were accustomed to fighting in small bands only and under chosen leaders known personally to all and whom they followed from personal confidence—a survival of the *comitatus* of their Germanic ancestors. They came from sections of the country whose inhabitants, when the British advanced into North Carolina from the south, refused all overtures of British protection, fired on them from coverts, singly or in squads, and scorned British gold when offered for the produce of their plantations. They gained for Charlotte from Lord Cornwallis the epithet of "Hornet's Nest," which it still proudly claims, and forced Tarleton to say in his memoirs that the men of Mecklenburg and Rowan counties were more hostile to England than any others in America.

The earlier events in this campaign are passed over lightly, many of them having been treated exhaustively in Draper's *King's Mountain and Its Heroes.* The author hastens on to the battle of Guilford Court House, the centre around which other events are grouped. The period from Cowpens to Guilford Court House is told in chapters five and six, while chapters seven and eight are given to the latter struggle. The narrative ends with Eutaw Springs.

Guilford Court House was the only pitched battle of any importance fought on the soil of North Carolina. The conduct of the state militia here has been misrepresented and maligned, for it is said they fled without firing a shot, and the regular troops of the State have been given to other States;

but the British historians who participated in the battle, Tarleton, Stedman and Lamb, have given a different account of the actions of these men, and American soldiers who were present bear testimony that the militia were ordered by Greene to fire twice and then retire. They obeyed their orders, some even fired a third round, delaying to retreat until the enemy were upon them, and then fought them back with clubbed rifles. The reputation of the state militia may rest securely on the defense here made, for it is shown from indisputable testimony to have been not cowardly, but deserving the highest praise.

The index is very poor and there is no bibliography—two serious defects—but Judge Schenck deserves much praise for the enthusiasm he has shown for the work and the energy he brought to it in the preparation of a volume of such size and of so much value in a little country town apart from public libraries and a literary atmosphere. S. B. W.

The thread by which Davis's *Recollections of Mississippi*[1] are connected, is the life of the author himself; and the book is to that extent an autobiography of "the oldest Mississippian now in the legal profession and the sole survivor of the bar of fifty years ago."

The record begins with the early days of Mississippi and ends at the civil war. The first few chapters of the book are also the first of Mr. Davis's life. In them we catch a series of glimpses of his early struggles against circumstances that seemed determined to make a physician of one who was equally determined to become a lawyer. This storm and stress period gives perhaps the most interesting and certainly the most dramatic part of the book. A perilous ride, a personal encounter, a romantic marriage and other incidents not less thrilling, are

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[1] Davis, R. *Recollections of Mississippi and Mississippians.* 446 pp. D. Boston. Houghton, Mifflin & Co., 1889.

rapidly sketched upon a background that gives a valuable picture of the life and manners of the time.

The step into politics is soon taken, and thenceforth his energies are divided between court-room and campaign. Famous cases, famous speeches, famous events and famous men, are recalled and described with a fond enthusiasm that never wearies.

With the Mexican war, the scene again changes. The political gives place to the military campaign, and Mr. Davis (now Colonel Davis) leads his troops to the border. The frank description of the joys and trials of the march gives a vivid idea of certain phases of the war spirit in his command.

The succeeding political events are treated in the same vivid way. Whether the subject be a campaign on the currency question, or one of those bitter debates in Congress that announced the civil war, Mr. Davis writes what he himself saw and heard and thought; and in this lies the charm and value of the book.

G. P.

The West.

Mr. Carr, the Assistant Curator of the Peabody Museum of American Archæology and Ethnology, is widely known for his researches on the subject of the Mound Builders. He now presents us the fruits of a careful study of the history of Missouri, from the discovery of the Mississippi to the abolition of slavery.[1] While he treats the French and Spanish period interestingly, and avails himself of recent investigations on St. Louis' history, he is not so thoroughly at home here as in the later period, and sometimes falls into slight errors in discussing French explorations. But the most interesting part of the book is an attempt to present a conservative southern view of the part played by Missouri in the slavery

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[1] Carr, Lucien. *Missouri: a Bone of Contention.* (American Commonwealths.) 16mo. 377 pp. Boston. Houghton, Mifflin & Co., 1888.

struggle. He justifies the action of the mob in expelling Lovejoy from St. Louis, and looks with favor upon the policy of "non-interference" by the federal government with the slavery question in the territories. To this end he would leave that question "open, so that the people of the slave-holding States might go into any of the territories which they helped to acquire, taking their slave property with them in case they so desired, upon the same footing as that upon which the people of the free North were permitted to move into these same territories with their horses or any other articles of personal property that they might possess." He presents the aggressions of John Brown with much force, in dealing with the border warfare; and in general treats his subject from the southern standpoint. However, he recognizes the fact that the force of circumstances carried Missouri to the northern cause; and believes that her attitude was largely determined by the fact that she was a corn- and not a cotton-producing State. The work of the convention in deposing Governor Jackson, and declaring vacant the seats of the members of the General Assembly, he justifies, not as legal but as necessary steps in the revolution, in favor of the Union then in progress in the State. The book is strongly written and bears throughout the marks of independent thought and judgment. F. J. T.

The Missouri Compromise, made law in 1820, was an important concession to the slave states. From this time they controlled the government for over thirty years with increasing power. The Kansas-Nebraska bill transferred the slavery discussion from Congress to the territories. It was supposed that Kansas, owing to the influence of its neighbor, Missouri, would swing into line with the southern states and enter the Union as a slave state. Here there was to be an extension of slavery which would discourage every effort of resistance in the North.

Eli Thayer,[1] then a member of the Massachusetts Legislature, devised a plan to save Kansas to the North. He proposed and organized the Emigrant Aid Company, the object of which was to send Northern emigrant colonies to Kansas. These, by their political influence, were to place Kansas among the free states.

In *The Kansas Crusade* he gives us an interesting account of the formation of this company and of the work that it accomplished. He describes the vigorous opposition to the company on the part of the Abolitionists, who, he says, did nothing more than create an unhealthy sentiment against slavery without offering any practical measures to oppose it. Garrison and Phillips are severely criticised, though, perhaps, not unjustly. John Brown, whom he regards as a product of abolition teaching, is likewise arraigned. Mr. Thayer quotes from the speeches and writings of many statesmen and journalists to show that by them his plan was heartily supported.

The Kansas Crusade covers a field that has received but little attention from historians, and gives some interesting facts concerning the slavery discussion. P. E. L.

Faithful to the title of his book,[2] Mr. Barrows has written an introduction to the history of Oregon, rather than a complete history of the State. Nearly the entire work is devoted to the treatment of the "struggle for possession," while only one short chapter out of thirty-three is devoted to the "Oregon of to-day."

He begins with a short sketch of the possessions of the European powers in America at the close of the seventeenth century, or at the treaty of Ryswick in 1697. Then follows the subsequent struggle for the territory by the great powers

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[1] Thayer, Eli. *A History of the Kansas Crusade; its Friends and Foes.* 294 pp. D. N. Y. Harpers, 1889.

[2] Barrows, W. *Oregon; the Struggle for Possession.* (American Commonwealths.) 16mo. 363 pp. Boston. Houghton, Mifflin & Co., 1888.

of Europe. One by one the nations drop out of the contest until England and the United States are the only remaining competitors. Finally, by treaty and arbitration, the boundary was satisfactorily settled.

Prominent points brought out in the book are the monopoly influence of the Hudson Bay Company, the conflicting claims of the United States and England, together with their final adjustment and the social incidents connected with the settlement of the territory.

In the treatment of the claims of the various nations to the Oregon territory, sufficient attention is not given to the pretensions of Spain, and the idea is conveyed that Spain's chief claim dates from the discovery of the Pacific Ocean by Balboa. Although it is not possible in a short work to give a comprehensive treatment of all early discoveries, the voyages of Cabrillo, Viscaino and Juan Perez, should have been more fully noticed.

The titles of the chapters are based upon historical incident, rather than upon the natural development of the subject. Thus, "Four Flathead Indians in St. Louis," "A Quart of Seed Wheat," "A Bridal Tour of Thirty-five Hundred Miles" and "Whitman's Old Wagon," are doubtless incidents worthy to be related in history, but rather sensational to be used as chapter headings of a grave discussion of diplomatic history, and are calculated to mislead the student of history, although they may catch the eye of the general reader. Upon the whole, the book, though incomplete, is instructive and interesting.

F. W. B.

Lucia Norman's little book[1] is the story of the State of California, from the period of its earliest discovery to the present time, told in an easy, popular style, as the title would

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[1] Norman, L. *A Popular History of California.* 216 pp. 16mo. San Francisco. The Bancroft Co., 1889. Second Edition. Revised and Enlarged.

indicate. It treats somewhat at length the various attempts of the Spanish government in Mexico to fix colonies in what is now known as Lower California, which, though failures, opened the way for the Jesuits later on. The parts relating to the mission settlements and to the time when the discovery of gold turned so many toward this land on the Pacific, are very graphically written. J. R. M.

Brief mention may be made of several works, bearing on the *Local History of the United States*, which are published by the Johns Hopkins Press. Foremost of these is Prof. G. E. Howard's *Local Constitutional History of the United States*, which is a résumé of the development of local government throughout the Union. Prof. C. M. Andrews, in his *River Towns of Connecticut*, has given a careful study to the settlements of Wethersfield, Hartford and Windsor. Dr. J. R. Brackett's *Negro in Maryland* shows the results of an exhaustive investigation of the laws of this State, in respect to the treatment of slaves and persons of color generally.

Canada.

Mr. Hannay's work[1] deserves attention from the fact that it is the first complete history of Acadia from its earliest settlement, made in 1604, down to its separation from France. The most valuable feature of the work is the thorough discussion of the great tragedy of 1755. Mr. Hannay strenuously combats the view that the English then committed a great crime. He shows clearly that these Acadian peasants were in morals and in manners by no means the ideal men and women of a poet's dream. They were, in reality, quarrelsome, indolent, and not remarkable for purity. But what

[1] Hannay, Jas. *The History of Acadia, from its first Discovery to its Surrender to England by the Treaty of Paris.* 447 pp. O. St. John. J. & A. McMillan, 1879.

most concerned the English was their bitter hostility to English rule. Since 1710, when Nova Scotia became one of England's possessions, the Acadians, led on by their priests, who were emissaries of the king of France, had steadily refused to take the unmodified oath of allegiance, and at all times secretly, whenever practicable openly, had supported the pretensions of the French. At the capture of Fort Beauséjour in 1755, a large number of them were found under arms in the French ranks. A crisis had now been reached. On the threshold of a mighty struggle between the two great powers for the possession of North America, it seemed necessary to adopt extreme measures against this people. Thus their expulsion became a plain military necessity.

It is noticeable that, in treating of the dispersion of the Acadians, Mr. Hannay makes no mention of that number of them who found their way finally to Louisiana, where their descendants to this day constitute a distinct people.

The author's style has many blemishes, and those chapters of the work not treating of matters of inherent interest, are tedious. A spirit of fairness is exhibited throughout, and no hesitation is shown in criticizing severely either the French or the English where occasion seems to warrant. Authorities for statements are frequently omitted. This defect and an incomplete index greatly impair the usefulness of the work to the special student of Acadian history. H. R. McI.

In the first part of his *History of St. John*,[1] the author has given an interesting account of the first settlement of Port Royal by the French, the struggles between the rival governors, La Tour and D'Aulnay, and finally the conquest and colonization by the English. Here, the seizure of the land and the exile of its inhabitants furnish ample material for the author's best touches.

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[1] Jack, D. R. *History of the City and County of St. John.* 178 pp. D. St. John. J. & A. McMillan, 1883.

From this point on dry facts begin to predominate; but we may clearly see that the author has searched faithfully the old records, and given us a connected account of the town's history, both in its political and business aspect.

The establishment of commerce, manufacturing industries and various business pursuits, the building of churches and school-houses, in short, all the countless enterprises that go to make up the modern city life, are fully described in chronological order. The style is good. The latter part of the book is somewhat labored, yet is on the whole readable and interesting. G. T. F.

Mr. Harper's little book[1] is an interesting epitome of the history of the provinces which border on the Gulf of St. Lawrence, Nova Scotia, New Brunswick and Prince Edward Island.

There is sufficient unity in the history of these states to justify amalgamation in one narrative, and although intended as a school text-book, the story is written in a less fragmentary style than one often meets in such compilations.

New Brunswick receives more extended treatment in a special work by Mr. Lawrence.[2]

The Constitutional History of Canada has of late received more than usual attention.

Mr. Bourinot's *Manual*[3] is, in a large measure, a revised publication of certain chapters of his larger work on *Parliamentary Practice and Procedure in Canada.* It is first a history of government, from the first settlement down to the adoption of the British North America Act in 1867, and

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[1] Harper, J. *The History of the Maritime Provinces.* 158 pp. 16mo. St. John. J. & A. McMillan, 1876.

[2] Lawrence, J. W. *Foot-Prints; or Incidents in Early History of New Brunswick.* 119 pp. D. St. John. J. & A. McMillan, 1883.

[3] Bourinot, J. G. *Manual of the Constitutional History of Canada.* 238 pp. O. Montreal. Dawson Bros., 1888.

then a description of the various branches of power, as finally constituted and put in practice down to the present day.

The author's short *History of Federal Government in Canada*[1] is one of the clearest and most interesting expositions of that subject, which has yet appeared.

O'Sullivan's work[2] should also be favorably mentioned as a handbook of constitutional interpretation. Mr. Monroe, an Englishman, offers the latest word on the subject,[3] though it may not be too much to say that his distance from the country he studies has been a hindrance to a clear comprehension of the situation.

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[1] Bourinot, J. G. *Federal Government in Canada.* 172 pp. Paper. Baltimore. Johns Hopkins Press, 1889.

[2] O'Sullivan. *Manual of Government in Canada.* O. Carswell & Co., 1888.

[3] Monroe, J. E. C. *The Constitution of Canada.* 392 pp. O. N. Y. Macmillan, 1889.

BRIEF MENTION.

The following books have been received from time to time and laid before the Historical Seminary for inspection. After examination by appointed reviewers, reports were presented orally and in writing at meetings of the Seminary, and these reviews, when elaborated, were placed on file and the volumes themselves upon the shelves in the Historical Library of this University. Further publicity for the notices has in many cases been given through American literary and critical journals, in the *Revue Historique* of Paris, and in the *Jahresbericht der Geschichtswissenschaft* which is published under the direction of the Historical Society of Berlin. The reports sent to this latter annual during the past two years have called attention to more than seven hundred contributions to American historical literature.

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Atkinson, W. P. The Study of Politics. The Study of History. Right use of Books. 16mo. 3 vols. Boston. Roberts Bros.

Crocker, G. G. Principles of Procedure in Deliberative Bodies. 16mo. 167 pp. N. Y. G. P. Putnam's Sons, 1889.

Foster, F. H. The Seminary Method of Original Study in the Historical Sciences. D. xi + 125 pp. N. Y. Chas. Scribner's Sons, 1888.

Maine, Sir H. S. International Law. O. 234 pp. N. Y. Henry Holt, 1888.

Nicol, D. The Political Life of Our Time. 2 v. O. N. Y. Appleton, 1889.

Rogers, J. E. T. The Economic Interpretation of History. O. 547 pp. N. Y. G. P. Putnam's Sons, 1888.

Story, M. Politics as a Duty and as a Career. D. Paper. N. Y. G. P. Putnam's Sons.

Wilson, W. The State; Elements of Historical and Practical Politics. 36 + 686 pp. D. Boston. D. C. Heath & Co., 1889.

GENERAL HISTORY.

Andrews, E. B. Institutes of History. D. Boston. Silver, Burdett & Co., 1888.

Freeman, E. A. Four Oxford Lectures. Fifty Years of European History. O. 112 pp. N. Y. Macmillan, 1888.

Fyffe, C. A. History of Modern Europe. 3 vols. N. Y. Henry Holt, 1890.

Murdock, H. The Reconstruction of Europe. 475 pp. D. Boston. Houghton, Mifflin & Co., 1889.

Collier, W. F. Great Events of History. D. London. T. Nelson & Sons, 1888.

Grote and Segur. The Two Great Retreats of History. 331 pp. D. Boston. Ginn & Co., 1889.

Labberton, R. H. Historical Atlas. O. N. Y. Townsend MacCoun, 1889.

Putnam, G. P., and L. E. Jones. Tabular Views of Universal History. 211 pp. O. N. Y. G. P. Putnam's Sons, 1890.

ANCIENT HISTORY.

Bury, J. B. A History of the later Roman Empire from Arcadius to Irene (395 A. D. to 800 A. D.). 2 v. O. N. Y. Macmillan & Co. 1889.

Inge, W. R. Society in Rome under the Cæsars. xii + 276 pp. D. N. Y. Chas. Scribner's Sons, 1888.

Judson, H. P. Cæsar's Army: a Study of the Military Art of the Romans in the last days of the Republic. xi + 127 pp. D. Boston. Ginn & Co., 1888.

Ragozin, Z. A. Media, Babylon, Persia (Story of the Nations Series). D. N. Y. G. P. Putnam's Sons, 1888.

MIDDLE AGES.

Archer, T. A. Crusade of Richard I, 1189–92. 10 + 395 pp. D. N. Y. G. P. Putnam's Sons, 1889.

Myers, P. V. N. Outline of Mediæval and Modern History. D. Boston. Ginn & Co., 1888.

Reber, F. von. The History of Mediæval Art. O. 31 + 743 pp. N. Y. Harpers, 1888.

ENGLAND.

Gurney, E. H. Reference Handbook for Readers, Students and Teachers of English History. 114 pp. D. Boston. Ginn & Co., 1890.

Hume, M. A. S. Chronicles of Henry VIII, of England. D. 229 pp. London. Bell, 1888.

Skottowe. A Short History of Parliament. D. N. Y. Harpers. 1888.

Taylor, Hannis. The Origin and Growth of the English Constitution. 39 + 616 pp. O. Boston, Houghton, Mifflin & Co., 1889.

Walford, C. Gilds: Origin, Constitution, Objects and later History. D. London. Redway, 1888.

Froude, J. A. The English in the West Indies. D. N. Y. Chas. Scribner's Sons, 1888.

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Crane, T. F. La Société Française au Dix-Septième Siècle: an account of French Society in the 17th Century from contemporary writers. 342 + lvii pp. N. Y. G. P. Putnam's Sons, 1889.

Duruy, Victor. History of France, Trans. M. Cary, with continuation to 1889 by J. F. Jameson. 26 + 706 pp. D. N. Y. T. Y. Crowell.

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Henry II. (Mrs. J. R. Green.)
Henry VII. (J. Gairdner.)
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Oliver Cromwell. (F. Harrison.)
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16mo. N. Y. and London. Macmillan & Co.

LOSSING, B. J. Hours with the Living Men and Women of the Revolution; a pilgrimage. 8 + 239 pp. D. Funk & Wagnalls, 1889.

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